

URBAN/MUNICIPAL

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1996

AGENDA / MINUTES

OF THE MEETING OF THE
COUNCIL OF THE CORPORATION
OF THE CITY OF HAMILTON

JAN. 30, 1996



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON** URBAN MUNICIPAL

**Tuesday, 1996 January 30
7:30 o'clock p.m.
Council Chambers, City Hall**

JAN 30 1996

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer:** Rev. Martin Rule - Retired
- 3. Presentations:**
 - A. Certificates of Recognition:**
 - (i) Lois Laxton
Lois Laxton Dance Studio (50th Anniversary of teaching dance)
 - (ii) Leslie Pasis (25 year gold pin honoured by the Province)
 - B. Certificates of Commendation:**
 - (i) Georgina Snelling
 - (ii) Randy Burtch
 - C. Declaration of Office - Gilbert L. Desjarlais - Deputy Fire Chief**

NOMINATING COMMITTEE

- 4. Adoption of the minutes of the meeting held 1995 December 12.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee
 - (b) Parks and Recreation Committee
 - (c) Planning and Development Committee
 - (d) Finance and Administration Committee
 - (e) Nominating Committee (Report to follow)
 - (f) Committee of the Whole (Report to follow)

7. ***Notices of Motion for next meeting.***
8. ***Question Period.***
9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1995 December 12
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

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The National Anthem was played.

* * * * *

Rev. Doctor John A. Johnston, Minister Emeritus of MacNab Presbyterian Church led
Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 November 28 were adopted as circulated.

PRESENTATIONS

Gail Thompson from the Ontario Film Development Corporation presented a cheque in the amount of \$5,000 to David Beland of the Fountain Foundation. Also in attendance was Donna Zukhlinski, Kim Cole and Karen Tyrell.

CORRESPONDENCE

1. Letter dated 1995 December 4 from R. Scott Smith, Secretary to the Board of Commissioners, The Hamilton Harbour Commissioners Re: Five Year Capital Budget.

Referred to the Finance and Administration Committee.

2. Application dated 1995 November 29 from Harley Knight, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified for lands located at the rear of No. 371 Rymal Road East, Hamilton, Ontario.

Received.

3. Application dated 1995 December 4 from Metropolitan Hamilton Real Estate Board, Hamilton, Ontario for a further modification to the established "Lmr-2" (Planned Development - Multiple Residential) District regulations for lands located at No. 39-41 Devonport Street, Hamilton, Ontario.

Received.

4. Application dated 1995 December 6 from Peter Zourntos et. al for an Official Plan Amendment to delete Special Policy Area No. 46 and for a change in zoning from "G-4" (Designed Neighbourhood Shopping Area) District, modified to "HH" (Restricted Community Shopping and Commercial) District, for lands located at No. 30 Rymal Road East, Hamilton, Ontario.

Received.

5. Letter dated 1995 November 29 from T. W. Woodhouse, General Manager, Hydro-Electric Commission of the City of Hamilton advising of a decrease in hydro rates for 1995.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT

Section 2 Re: Concrete Alley - Hunter Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

* * * * *

Section 25 Re: Waste Management Co-ordinating Committee

It was moved by Alderman Jackson and seconded by Alderman Charters that Section 25 of the Fifteenth Report of the Transport and Environment Committee for 1995 be amended to add Sub-section (c) as follows:

- (c) That Alderman G. Copps and Alderman H. Merling be appointed as the political representatives to meet with the Waste Management Co-ordinating Committee.

CARRIED.

* * * * *

Rule No. 9 Re: Bunker Hill Drive

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting parking regulations on Bunker Hill Drive. **CARRIED.**

* * * * *

Section 27 Re: Bunker Hill Drive

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the Fifteenth Report of the Transport and Environment Committee for 1995 be amended by adding the following as Section 27.

27. (a) That parking be allowed on the west side of Bunker Hill Drive from 70 feet south of Greenhill Avenue to 75 feet north of Greenhill Avenue to 75 feet north of Par Place; and,
- (b) That "No Stopping" corner clearances be implemented at each end for the remainder of the block; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly. **CARRIED.**

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Section 28 Re: Bill A-76: A By-law to Amend By-law No. 89-72 to Regulate Traffic

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the Fifteenth Report of the Transport and Environment Committee for 1996 be amended by adding Section 28 as follows:

28. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- A-76 A By-law to Amend By-law No. 89-72 to Regulate Traffic.

CARRIED.

* * * * *

RESOLUTION

It was moved by Alderman Ross and seconded by Alderman D'Amico that a letter be sent to the Minister of Transportation of Ontario requesting:

- (a) That the Minister expedite the submission to, and support the approval by the Legislation and Regulations Committee of Cabinet, of the final changes to the regulations under The Highway Traffic Act to allow for the installation of intersection pedestrian signals in Ontario, and;
- (b) That following changes to the regulations under The Highway Traffic Act to permit the installation of intersection pedestrian signals in Ontario, the Minister expedite the granting of legal approval of the signal designs for Garth Street at Sanatorium Road and Aberdeen Avenue at Chedoke/MacDonald Streets in Hamilton. **CARRIED.**

PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT

Section 1 Re: West Harbourfront Development Study Final Report

It was moved by Alderman Eisenberger and seconded by Alderman Ross that Section 1 of the Twenty-First Report of the Parks and Recreation Committee for 1995 be amended by deleting sub-section (f) and replacing it with the following:

- (f) That City Council authorize the Mayor to convey to the Government of Canada, the Province of Ontario, and to CN, the City's continued interest in advancing the opportunity of the redevelopment of the West Harbourfront Precinct based upon relocation of the CN marshalling yard and further, to request that these three parties to take no action which would compromise redevelopment opportunities during the time that formal expressions of interest for development are being sought from the private sector; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Aldermen Kiss, McCulloch. -2.

CARRIED.

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Section 4 Re: Purchase of Block 142 and 143, Plan 62-639 - Broughton Avenue

It was moved by Alderman Jackson and seconded by Alderman Eisenberger that Section 4 of the Twenty-First Report of the Parks and Recreation Committee for 1995 be referred back.
CARRIED.

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Rule No. 9 Re: Scott-MacDonald Limited - Lease Negotiation Date

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting Scott-MacDonald Limited, extension of Lease Negotiation Date.
CARRIED.

* * * * *

Section 6 Re: Scott-MacDonald - Lease Negotiation Date

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that the Twenty-First Report of the Parks and Recreation Committee for 1995 be amended by adding Section 6 as follows:

6. That Section 10 of the Eighteenth Report of the Parks and Recreation Committee for 1995, adopted by City Council on 1995 October 31, be amended to extend the date to complete negotiations with Scott-MacDonald Limited for a long term lease by six (6) weeks from 1995 December 15 to 1996 January 31.
CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-THIRD REPORT

Section 3 Re: Demolition Permit for 30 Norfolk Street

Recorded vote.

YEAS: -0.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.
LOST.

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Section 4 Re: Demolition Permit for 23 Leland Street

Recorded vote.

YEAS: -0.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16. LOST.

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-FOURTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - TWENTY-NINTH REPORT

Rule No. 9 Re: Use of City Hall facilities - Hamilton Philharmonic Orchestra

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the use of City Hall facilities by the Hamilton Philharmonic Orchestra. **CARRIED.**

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Section 27 Re: Use of City Hall Facilities - Hamilton Philharmonic Orchestra

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 27 of the Twenty-Ninth Report for 1995 of the Finance and Administration Committee:

27. (a) That approval be given to the Hamilton Philharmonic Orchestra to use the forecourt and related equipment at noon on Friday, 1995 December 15 to celebrate "Hamilton Philharmonic Orchestra Day"; and,

- (b) That approval be given to the Hamilton Philharmonic Orchestra to place a mobile sign on the forecourt from December 15 to 31 to inform the public how they can make donations to the Orchestra." **CARRIED.**

NOMINATING COMMITTEE - EIGHTH REPORT

Section 3 Re: Appointments to the Hamilton Historical Board.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

RESOLUTIONS

Rule No. 9 Re: Hamilton-Scourge Special Committee

It was moved by Alderman McCulloch and seconded by Alderman Drury that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Hamilton-Scourge Special Committee. **CARRIED.**

* * * * *

Re: Hamilton-Scourge Special Committee

It was moved by Alderman McCulloch and seconded by Alderman Drury that:

- (a) (i) That the Hamilton-Scourge Special Committee of Council be authorized to investigate the possibility of permitting the National Geographic Society to carry out a further dive to explore the interiors of the two ships; and

- (ii) To carry out any special tasks requested by the City such as core sampling and special photographing; and
- (b) That the Province be contacted to find out their possible involvement; and
- (c) That a recommendation be brought back to City Council for consideration and possible approval; and further
- (d) That no financial commitments relating to this dive are to be entered into.

CARRIED.

ACTING MAYOR FOR THE MONTH OF JANUARY, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Drury be appointed Acting Mayor for the month of January 1996.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:05 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1995 December 12
SGH/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1996 January 16 from Fred Loft, General Vice-President, Canadian Union of Public Employees, Local 5, Re: Barricading city parking lots off Barton Street.

Recommendation: Be Received.

2. Facsimile dated 1995 December 6 from Russell D. Cheeseman, Holden-Day-Wilson, Barristers and Solicitors, Toronto, Ontario Re: Relocation of CN Stuart Street Rail Yard to Aldershot.

Recommendation: Be Referred to the Parks and Recreation Committee.

3. Letter dated 1995 December 14 from Jorge Rodriguez, Burlington, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for Block "1" and for a modification to the "C" (Urban Protected Residential, etc.) District for Block "2" for 832 Upper Wentworth Street, Hamilton, Ontario.

Recommendation: Be Received.

4. Letter dated 1996 January 9 from 867065 Ontario Inc. Mario Presta for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for 252, 262 and 268 James Street South, Hamilton, Ontario.

Recommendation: Be Received.



Canadian Union of Public Employees - Syndicat Canadien de la Fonction Publique

LOCAL FIVE

1130 Barton Street East, Suite 200, Hamilton, Ontario L8H 7P9

Telephone: (905) 544-3391

Fax: (905) 544-6217

President

Phil Chabot

Secretary

Ed Thomas

January 16, 1996

City Council,
City of Hamilton,
71 Main Street West,
Hamilton, Ontario.

Attention: Mr. J. Schatz, City Clerk

Dear Aldermen:

While out doing my regular duties on behalf of my Employer, I happened to see the City of Hamilton Parking Authority barricading city parking lots off Barton Street East near Sherman Avenue with cement blockers.

When I questioned an employee of the Parking Authority as to why this was being done, when we are supposed to be trying to revitalize the Barton Street area, I was told that these lots were not making any money so they were being terminated as parking lots.

My question to you now is why are you barricading the lots up when people and active businesses still need places to park in this area.

This makes about as much sense as Mike Harris' Common Nonsense Revolution. These barricaded lots will become eye sores filled with litter, debris, garbage and possibly old furniture and/or appliances as is the case with the alleyways throughout the city.

The worst thing you could do is to leave them empty just like the stores that sit empty all along Barton Street, and if I am right, I assume that because the city owned lots downtown such as Wilson and John are not constantly full, you will barricade them as well rather than offer free parking to the public to try and bring people back downtown and make our core prosperous again.

The revitalization of our downtown core and the many areas below the "hill" should be your top priority. How many more business closures do we need before this Council actually reacts to the fact that the downtown area is speedily becoming a SLUM area filled with empty buildings, stores, street kids, dope dealers, prostitutes and homeless people, etc.?

There is a need for your individual attention and a placing aside of your individual animosity towards each other's council suggestions to get your act together, show some leadership and restore the core.

Your immediate attention to this matter is requested.

Yours truly,

F. Loft
Fred Loft,
General Vice-President.

HOLDEN-DAY-WILSON

Barristers and Solicitors
Trade Mark Agents

Suite 2400, P.O. Box 52
Toronto Dominion Bank Tower
Toronto-Dominion Centre
Toronto, Canada M5K 1K7
Telephone (416) 361-1444
Fax (416) 361-1258
Russell D. Cheeseman
Direct Dial (416) 863-5630
Our File No. J207 031186

2.

December 6, 1995

His Worship Robert Morrow and Members
of the City of Hamilton Municipal Council
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow and Members of Council:

Re: Relocation of CN Stuart Street Rail Yard to Aldershot

We are solicitors for Jannock Properties, the owners of the approximately 475 acres in the Aldershot area of the City of Burlington.

We appeared before the Parks and Recreation Committee at its meeting of Tuesday December 4th, 1995, to add our support to the position taken by the City of Burlington in its submissions to the Committee in respect of the relocation of the Stuart Street Rail Yard from its existing location as part of the West Harbourfront Development Study.

This letter's purpose is to advise you in writing of our client's serious concerns about the relocation of the Rail Yard to Burlington as is set out in Recommendation Number 6 of the Parks and Recreation Committee. It is not our client's intention of opposing the redevelopment of Hamilton's Harbourfront Area, our client's only concern about the redevelopment comes about as a result of the need for the Stuart Street Yard to relocate in order to allow that development to proceed. While we recognize that the relocation is a condition of the redevelopment your Council envisages, the relocation of the Yard to the Aldershot area is in our submission totally inappropriate. That is not to say that the relocation of the yard might not be better accommodated elsewhere, either within the confines of Hamilton's municipal boundaries or in a willing host recipient municipality, it is clear that the City of Burlington and this area of Aldershot is not prepared to be that willing host.

We trust that Council will find a way to allow for the redevelopment of the Hamilton Harbour, accommodating the relocation of the Stuart Street Rail Yard in some other area rather than Aldershot. If Council cannot find its way clear to assisting CN in

HOLDEN~DAY~WILSON

- 2 -

finding another location for the relocation of this marshalling yard, then the alternative is a lengthy and costly process of litigious proceedings and administrative tribunal hearings that we are sure everyone would rather avoid if at all possible.

We trust that the foregoing is clear. If we can be of any assistance in this matter, please do not hesitate to have your staff contact us.

Yours very truly,

HOLDEN~DAY~WILSON



Russell D. Cheeseman

cc: Mrs. Patrice Noé Johnson, City of Hamilton
Mike Kovacevic, City of Burlington

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. (a) That the proposed 1996 Road and Sidewalk Capital Improvement Programme in the amount of \$7,445,000. as outlined in Appendix "A" attached hereto, be approved; and,

 (b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation/Environmental Services be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received; and,

 (c) That the Commissioner of Transportation/Environmental Services be authorized on an interim basis to proceed with the calling of tenders for projects in the Programme up to a maximum of \$5,000,000. prior to the final Capital Budget approval; and,

 (d) That where noted in Appendix "A" construction be undertaken by the Public Works and Traffic Department.
2. That a "No Parking" regulation be implemented on the east side of Mountwood Avenue commencing at a point 54 feet south of Louisa Avenue and extending to a point 73 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "No Stopping" corner clearance on the south side of Crockett Street which commences at East 34th Street and extends to a point 51 feet easterly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "No Parking" regulation on the south side of Beechwood Avenue which commences at Gage Avenue North and extends to a point 47 feet easterly therefrom, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on West 34th Street commencing at Bendamere Avenue and extending to a point 456 feet northerly on the west side and to a point 463 feet northerly on the east side be extended such that the regulation extends northerly to Leslie Avenue on both sides of West 34th Street and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 34th Street between Leslie Avenue and Angela Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That an "Alternate Side Parking" regulation be implemented on Deschene Avenue between Hester Street and Washington Street, such that parking is prohibited:
 - (i) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That an "Alternate Side Parking" regulation be implemented on Wavell Avenue between Inverness Avenue East and Churchill Avenue, such that parking is prohibited:
 - (i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

9. That a "One Hour Parking Time Limit, 24 Hours a Day, 7 Days a Week" regulation be implemented on the south side of Glenvale Drive between Cranbrook Drive and Garth Street and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That all-way stop control be implemented at the intersection of Jackson Street East and Catharine Street South and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That four-way stop control be implemented at the intersection of Carson Drive and Moxley Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Walnut Street South commencing at a point 56 feet north of Charlton Avenue East and extending 116 feet northerly and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That the application of Huu Luong, owner of No. 200 Hughson Street North, to lease a portion of the east boulevard of Hughson Street North adjacent to No. 200 Hughson Street North be approved, provided:
 - (a) the application pays the annual fee in accordance with the fee structure approved by the City council on 1986 March 25 (current rate is \$60.82 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14; and,
 - (c) the owner pays a one time \$214. processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- 14. That the existing "No Stopping" regulation on the north side of Vansitmart Avenue which commences 71 feet east of Harmony Avenue and extends to a point 71 feet west of Harmony Avenue, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
- 15. That the existing "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Balmoral Avenue North commencing at a point 300 feet south of Campbell Avenue and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 16. (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 67 feet south of the south curb of Wright Avenue and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Jose Figueiredo, No. 82 Leeming Street.
- 17. (a) That a "Permit Parking" regulation be implemented on the west side of Adeline Avenue commencing at a point 50 feet south of Roxborough Avenue and extending to a point 20 feet southerly therefrom, and on the east side of Adeline Avenue commencing at a point 29 feet south of Roxborough Avenue and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Betty Lees, No. 119 Adeline Avenue.
- 18. (a) That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 291 feet north of Barton Street East and extending to a point 22 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Giovanni Candelora, No. 210 Gibson Avenue.
19. That the existing "Permit Parking" regulation on the north side of Peter Street commencing at a point 231 feet west of Queen Street North and extending to a point 27 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
20. That, in accordance with Section 15(1) of the Police Services Act, 1990, William Smith be appointed as a Parking Control Officer.
21. That a purchase order be issued to Fortran Traffic Systems Ltd., Scarborough, for the supply and delivery of traffic signal controllers as and when required in 1996 by the Traffic Division, at the unit prices noted below, being the lowest bid received for subsections (a) (b) (c) (d) and (e), in accordance with the specifications issued by Purchasing and Vendor's tender, and to be financed through Traffic Signals Materials Account No. CH56152 75999, to a maximum expenditure of \$550,000. exclusive of taxes:
- | | | |
|-----|---|-----------------|
| (a) | 36 circuit fully actuated solid state controllers | \$6,211.74 each |
| (b) | 24 circuit fully actuated solid state controllers | \$5,396.77 each |
| (c) | 24 circuit pretimed solid state controllers | \$5,295.65 each |
| (d) | Area master controllers | \$2,674.80 each |
| (e) | Communications modules | \$ 449. each |
| (f) | Portable data transfer units | \$3,500. each |
- All prices noted are before the addition of applicable taxes.
22. That a purchase order be issued to U.S.S. Manufacturing, Inc., Renfrew, Ontario, for the supply and delivery of traffic poles, hardware and traffic signal arms as and when required during 1996 by the Traffic Department, as per attached prices, being the lowest of five bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that this expenditure be financed through the Traffic Signals Materials Account No. CH56152 75999.

23.
 - (a) That the existing Commercial Boulevard Parking Agreements registered as Instrument Nos. 151570 and 151569 to the properties at Nos. 8 - 14 and Nos. 24 - 30 East 35th Street be discharged at the property owners expense; and,
 - (b) That the owner of the property be required to execute residential boulevard parking agreements for the properties at Nos. 8, 10, 12, 24, 26, 28 and 30 East 35th Street; and,
 - (c) That the existing boulevard parking space and driveway approach ramp be removed from No. 14 East 35th Street, at the property owner's expense.
24.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Strathcona Avenue South commencing at a point 283 feet south of King Street West and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Alexander, No. 29 Strathcona Avenue South.
25.
 - (a) That a "Permit Parking" regulation be implemented on the east side of East 21st Street commencing at a point 238 feet south of Concession Street and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to David Smeaton, No. 11 East 21st Street.
26. That a purchase order be issued to 3 M Canada Inc., London, Ontario, for the supply and delivery of sign sheeting as and when required during 1996 by the Traffic Department, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.
27. That the City Solicitor be authorized and directed to amend By-law No. 94-137 to allow for an additional two week extension to the fifteen month trial closure of Mead Avenue at a point 757 feet east of the eastern limit of Parkdale Avenue.

28. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "B", attached hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "B" be set for the encroachments.
29. (a) That the following City land be incorporated to complete the final street width or to provide access to newly registered subdivision development:
- Rexford Drive Part Block BX Plan M-177; and,
- (b) That the by-law to carry out the incorporation of the said land into the foregoing street be approved; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
30. That Alderman H. Merling and Alderman G. Copps be appointed to represent the City of Hamilton at the Ministry of the Environment and Energy "Hamilton Air Quality Initiative Study" consultation meetings.
31. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-1 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-2 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (c) A-3 A By-law to Amend By-law No. 89-72 to Regulate Traffic

1996 January 30

- (d) A-4 A By-law to Incorporate City Land Designated as Part 6 on Plan 62R-13594 into Rexford Drive

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 January 15

1996 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A.	<u>Roads and Abutting Sidewalks</u>						<u>ESTIMATE</u>
	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>			
*	Adair Avenue N & S	Queenston	Roxborough	road resurface-sidewalkreconstructionboth sides		\$112,000	
*	Cumberland Avenue	Sanford	Gage	road reconstruction-sidewalkand curb reconstructionand repair		\$1,463,000	
	Dunkirk Drive	Cochrane	west end	road reconstruction-sidewalkreconstructionand repair - both sides, in conjunction with Regional watermain work		\$511,000	
	East 18th Street	Concession	Fennell	road reconstruction-sidewalkreconstructionand repair - both sides, in conjunction with Regional sewer work		\$809,000	
	East 38th Street	Concession	Queensdale	road reconstruction-sidewalkreconstructionand repair - both sides in conjunction with Regional sewer work		\$396,000	
	East 42nd Street	Seventh	Mohawk	road reconstruction-sidewalkreconstructionand repair- both sides, in conjunction with Regional sewer and watermain work		\$668,000	
	East 43rd Street	Seventh	Fennell	road resurface-sidewalkreconstructionand repair both sides in conjunction with Regional sewer and watermain work		\$156,000	
	Grandfield Street	Brentwood	Kingslea	road reconstruction-sidewalkreconstructionboth sides in conjunction with Regional sewer and watermain work		\$232,000	
	Market Street	Bay	Ray	road reconstruction-sidewalkreconstructionand repair- both sides, in conjunction with Regional sewer and watermain work		\$530,000	
	Melbourne Street	Dundurn	Locke	road reconstruction-sidewalkreconstructionand repair- both sides, in conjunction with Regional sewer and watermain work		\$364,000	
	Paling Avenue	Barton	north end	road reconstruction-sidewalkreconstructionand repair- both sides, in conjunction with Regional sewer and watermain work		\$346,000	
	Reid Avenue N & S	Queenston	Roxborough	road reconstruction-sidewalkreconstructionboth sides- in conjunction with Regional watermain work		\$637,000	
	Seventh Avenue	East 42nd	East 43rd	road reconstruction-sidewalkreconstructionand repair- both sides in conjunction with Regional sewer work		<u>\$ 89,000</u>	
				TOTAL SECTION A		\$6,313,000	

Appendix "A" as referred to in
Section 1 of the FIRST
Report of the Transport and
Environment Committee for 1996

* To be undertaken by the Public Works and Traffic Department

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Barton Street East	Kenilworth	Strathearn	reconstruction - both sides	\$184,000
Mohawk Road East	Dodson	Upper Wellington	reconstruction and repair both sides	<u>\$53,000</u>
TOTAL SECTION B				\$237,000

C. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
*Genesee Street	Upper James	West 2nd	reconstruction both sides, regrade and surface treat roadway	\$61,000
*Marcella Crescent	Summercrest	Summercrest	reconstruction and repair both sides	\$179,000
*Tindale Court	Quigley	End	reconstruction and repair both sides	<u>\$80,000</u>
TOTAL SECTION C				\$320,000

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catchbasin and drain connections in conjunction with Regional sewer projects	\$10,000
Pavement Management System - annual update	\$40,000
Streetlighting - various locations	\$450,000
Street tree planting in conjunction with reconstruction projects	<u>\$75,000</u>
TOTAL SECTION D	\$575,000
GRAND TOTAL	\$7,445,000

*To be undertaken by the Public Works and Traffic Department

E. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Seventh Avenue	Upper Gage East 43rd	East 42nd East 45th	road reconstruction-sidewalk reconstruction and repair- both sides in conjunction with Regional sewer work	\$227,000
Gertrude Street	Gage	Depew	road reconstruction-sidewalk reconstruction both sides	\$355,000
Burfield Avenue	Brentwood	Kingslea	road reconstruction-sidewalk reconstruction both sides in conjunction with Regional sewer and watermain works	\$233,000
*Dallas Avenue	Upper Gage	west end	reconstruct and repair both sides, regrade and surface treat roadway subject to Regional investigation	\$187,000
*Delmar Drive	Daytona	Bendamere	reconstruct and repair both sides, subject to Regional investigation	\$124,000
*East 27th Street	Concession	Crockett	reconstruction-both sides, regrade and surface treat roadway subject to Regional investigation	\$ 93,000
East 43rd Street	Queensdale	Fennell	reconstruction and repair both sides subject to Regional investigation	\$181,000
*Geneva Drive	Delmar	Bendamere	reconstruction and repair both sides subject to Regional investigation	\$119,000
Sanford Avenue North	Barton	Cannon	reconstruction and repair both sides	\$ 89,000
Shaw Street	Victoria	Wentworth	road reconstruction-sidewalk reconstruction and repair- both sides in conjunction with Regional sewer work	<u>\$480,000</u>
TOTAL SECTION E				\$2,088,000

*To be undertaken by the Public Works and Traffic Department

Appendix "B" as referred to in
Section 28 of the FIRST
Report of the Transport and
Environment Committee for 1996

Location and Municipal Address	Owner	Type of Encroachment	First Year/ Annual
32 Wood Street West	J. C. White	Portion of Building 2.896m x .789m Frame Deck 2.408m x 3.353m	138/20
MacNab Street North (Municipal Address - 34 Wood Street West)	S. M. Partridge	Portion of Building 6.555m x .450m Concrete Paving .853m x 6.492m	138/20
20 Ashley Street	L. Dobai	Concrete Veranda 6.187m x .884m	138/20
49 Keith Street	G. Clark	Wooden Step 1.22m x .15m	138/20

1996 January 30

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. That the Commissioner of Public Works and Traffic be authorized to implement a sponsorship program aimed at soliciting funding donations from private sector agencies, community groups, citizens for the planting and maintenance of floral beds and floral traffic islands.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 January 24

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. That, on a one time basis, the green fees for the "Morgan Firestone - Sesquicentennial Pro-Am Golf Tournament" scheduled for 1996 June 7 at King's Forest Golf Course, be waived.
2.
 - (a) That permission be given to Culture and Recreation Department Staff to deaccession a human skeleton (Inventory Number c.1982.1a) from the Hamilton Children's Museum collection and donate it to McMaster University, Faculty of Health Sciences for use in anatomy education; and,
 - (b) That the list of office equipment and furnishings attached hereto and marked as Appendix "A", be deaccessioned from the artifact inventory and be transferred to the general museum inventory.
3. That the term of contract for rink board advertising awarded to Street Level Media, previously approved by City Council through adoption of Section 7 of the Seventeenth Report of the Parks and Recreation Committee for 1995 on 1995 September 26 be amended to a term beginning 1996 February 1 to 1997 December 31, with an option at the City's sole discretion to renew for a further three (3) one year terms.
4.
 - (a) That approval be granted to the Community Councils as listed under sub-section (b) to conduct horse drawn sleigh rides, bon fires, skating parties, lumberjack games/demonstrations and various large Winterfest Family activities in their neighbourhood parks; and,
 - (b) That permission be granted as required by Section 12, (a) and Section 35 of the Parks By-law No. 95-126, to allow animals and bon fires in Chedoke Winter Sports Park and Pier 4 Park, 1996 February 10 to February 11 and in the specified parks on the dates listed below:

<u>Community Council</u>	<u>Date/96</u>	<u>Location</u>
North Central	January 27	North Central/ Robert Land School
Friends of Gage Park	February 3	Gage Park
Gourley Park	February 3	Gourley Park
Eastmount Park	February 3	Eastmount Park
Gilkson Park	February 3	Gilkson Park
Riverdale	February 4	Warden Park
St. Clair	February 4	Myrtle Park
Eleanor	February 10	Eleanor Park
Strathcona	February 11	Victoria Park

5. (a) That the daily responsibilities for maintenance of greens, ornamental beds, and surrounding lawn areas at Roselawn, Churchill, Mount Hamilton, and Fernleigh Lawn Bowling Clubs be transferred yearly to the Executive Board of each facility; and,
- (b) That funds be transferred from Culture and Recreation, Major Facilities Section, Operating Budgets Account No. CH56398 78315 to each lawn bowling club to be used to retain their own staff during this period; and,
- (c) That the City Treasurer be authorized to transfer amounts totalling \$10,000. to Roselawn Bowling Club, \$10,000. to Churchill Lawn Bowling Club, \$6,000. to Fernleigh Lawn Bowling Club, and \$6,000. to Mount Hamilton Lawn Bowling Club in two instalments payable each year on April 1st and June 1st.
6. That the City Treasurer be directed to pay the rental amount of \$107. to the Ontario Realty Corporation as the Corporation of the City of Hamilton is deemed to be the Overhold Lessee of Parts 4 and 5 Plan 62R-8595, Globe Park, located to the north of Brampton Street and west of Woodward Avenue for recreational purposes.
7. (a) That the Director of Property be authorized to make application to the Building Commissioner for the issuance of a demolition permit for the property at No. 107 Graham Avenue North which is located in the Crown Point East Neighbourhood Park; and,
- (b) That the cost for demolition be charged to Account No. CH5X921 00102 (Reserve for Property Purchases).

8. That the City Treasurer be directed to carry over 1995 Corporate Donations to the Civic Beautification Awards evening in the amount of \$3,855. and credit this amount to the 1996 Operating Budget Centre 62001, Beautification Honorarium 55416.
9. That the Special Events Guidelines as outlined in Appendix "B" attached hereto, and inclusive of recommendation (a) and (b) be approved for implementation for the 1996 Season of Special Events.
- (a) That the Special Event Guidelines include a policy whereby Bayfront and Pier 4 Parks will not be available for major special events and left available for free community use every third weekend and; and,
 - (b) That the Special Event Guidelines include a policy whereby Event Organizers must demonstrate significant community wide and/or tourism benefits before being granted full use of Bayfront or Pier 4 Parks.
10. (a) That funding in the amount of \$52,000. to cover the operational expenses of Riverdale Outreach recreational programs be considered by the Current Budget Sub-Committee as an Enhancement Package; and,
- (b) That pending budget approval, the City Solicitor, Director of Property and the Director of Culture and Recreation be authorized to negotiate rental and/or lease agreements with Eastgate Mall, Board of Education (Lake Avenue School), St. Gregory the Great Church, and property at No. 211 Centennial Parkway for the purpose of providing recreation programs for the Riverdale East Community.
11. (a) That approval be granted to enter into a contract with Patriot Enterprises, being the only bid received in response to a request for proposal closing 1995 December 6, for a period of five years commencing Spring 1996 beginning with King's Forest Golf Course, and terminating in the year 2001, for the supply, installation and maintenance of tee signs for the Hamilton Municipal Golf Courses; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary documents.

12.
 - (a) That the Commissioner of Public Works and Traffic or his designate be authorized to proceed to negotiate with the Royal Botanical Gardens for use of building and land area at the Teaching Garden (Westdale) to provide accommodation for the Dundurn Aviary; and,
 - (b) That the term of the agreement commence no later than 1996 June 1, to allow re-location from the present temporary housing at the Kenilworth Composite building and no return to the original facilities at Dundurn Castle; and,
 - (c) That staff report back to Committee on the terms of the agreement and community response to the project following an Open House Information meeting to be hosted by the Royal Botanical Gardens; and,
 - (d) That staff from the Law Department and Property Department be involved in preparation of a lease agreement between the City and the Royal Botanical Gardens.
13. That the concept plan for St. Christopher's Park as outlined in Appendix "C" attached hereto, prepared by the Parks Division of the Public Works and Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved in order that staff can proceed with the preparation of detailed plans, specifications and tender documents in order to implement at an estimated cost of \$200,000.
14.
 - (a) That the concept plan for Pipeline Park between Province Street and Huxley Avenue attached as Appendix "D" prepared by the Parks Division of the Public Works & Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved in order that staff can proceed with the preparation of detailed plans, specifications and tender documents in order to implement at an estimated cost of \$200,000.; and,
 - (b) That the Director of the Property Department be directed to prepare and execute the appropriate agreement between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth for the park development outlined in subsection (a) above; and,
 - (c) That the Director of the Property Department be directed to prepare and execute the appropriate agreement between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth for other park development initiatives for the remainder of the park.

15. (a) That the existing position of General Foreman Parks West be reclassified to Special Events Liaison; and,
 - (b) That as a result of this reclassification the job functions of the General Foreman Parks West relating to parks maintenance be placed under the jurisdiction of the General Foreman Parks East; and,
 - (c) That the existing position of General Foreman Parks East be reclassified to General Foreman Parks Maintenance; and,
 - (d) That the two Foreman II positions in the Parks Maintenance Section be reclassified to Foreman I; and,
 - (e) That the organizational format for the Parks Maintenance Section supervisory level be changed to reflect this re-structuring as outlined in Appendix "E" attached hereto, approved for implementation on 1996 February 1, with referral to the Human Resource Centre respecting job description and salary classifications.
16. That the Department of Public Works and Traffic undertake landscaping of the western end of Mountain Drive Park at Upper Sherman Avenue with the understanding that funding for these improvements come from private sources.
17. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
 - B-1 A By-law to Amend Cemeteries By-law No. 8861 Respecting: Revised Tariff of Charges

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 January 23

Appendix "A" as referred to in
Section 1 of the FIRST
Report of the Parks and
Recreation Committee for 1996

January 8, 1996

Items to be deaccessioned from the Hamilton Children's Museum
Category One: (Office Furniture & Equipment)

Items	Accession No.
1. Desk	LC1984.19.2.4
2. Sound Table	LC1984.1.1
3. Wooden Chair	LC1984.1.1
4. Wooden Chair	LC1984.1.2
5. 2 Magazine Racks	LC1985.1.1-2
6. Newspaper Stand	LC1985.1.3
7. Step-Ladder	XC1984.9.1
8. Wooden Desk Drawer	XC1984.9.1
9. Wooden Desk Drawer	XC1984.10.1
10. Coat Rack	C1985.20.1
11. Table and Four Chairs	C1985.151.1ABCDE
12. Double Sided Easel	C1986.497.1
13. 2 Chairs-Office (Steno)	C1986.544.1.2
14. Chair-Office (Executive)	C1986.545.1
15. 2 Drawer/Lateral Filing Cabinets	C1986.546.1,2
16. Humidifiers	C1986.555.1,2
17. Filing Cabinet-4 Drawer-Letter	C1987.13.1
18. Filing Cabinet-4 Drawer/Shelves/Safe	C1987.14.1
19. Office Side Chair	C1987.15.1
20. Card Cabinet-One Drawer	C1987.16.1
21. Mail Tray	C1987.17.1
22. Letter Scale	C1987.18.1
23. Donation Box	C1987.20.1
24. Air Conditioner and Sleeve	C1987.23.1
25. 8 Office Dividers/6 Large/2 Small)	C1987.24.1-8
26. Paper Cutter-Metal	C1987.32.1
27. 1 Wooden Desk/1 Drawers and 2 shelves	LC1985.51
28. 1 Metal Cabinet/2 Shelves	LC1986.1.1
29. 1 Table/Metal Legs	LC1986.1.2
30. 2 Office Chairs/Secretarial	LC1986.2.1
31. Work Bench with 2 Vices Attached	LC1985.1.5

Items	Accession No.
32. Wall Units/Wood	LC1980.11.1.2
33. Sand Table	LC1980.11.3
34. 3 Secretarial Chairs	LC1978.21-1-3
35. 5 Children's Stools	LC1978.21-4-8
36. 3 Wooden Benches	LC1978.21.-11
37. 5 Wooden Children's Tables	LC1978.21.13-17
38. 30 Metal Folding Chairs	LC1978.23.1-20-31-41
39. 1 Metal Folding Chair	LC1978.23.21
40. 1 Brown Swivel Chair	LC1978.23.23
41. 3 Metal Filing Cabinets	LC1978.23.24-26
42. Mirror	LC1978.24.2
43. 2 Wooden Brown Tables	LC1978.24.3,4
44. Metal Coat Rack	LC1978.24.5
45. Metal File Box	LC1979.29.1
46. Wood and Metal Coat Rack	LC1979.29.3,4
47. Chair/Wooden	LC1979.29.5
48. 2 Tables	LC1979.29.6,7
49. 2 Wooden Easels	LC1979.29.22,23
50. 2 Drawer Metal File Cabinet & Wooden Table	C1979.5.1-3
51. Easel	4-11-1
52. Large Red Ladder	AU22-4
53. Hat Rack	AU22-6
54. 2 Wooden Crates	AU22-8
55. Glass Type Aquarium	11-1982-2A
56. Glass Type Aquarium	11-1982-2B1
57. Glass Type Aquarium	11-1982-2B2
58. 2 Wooden Desks	C1978.2.1,2
59. Wooden Reception Desk	C1978.2.10
60. Metal File Dividers	C1978.2.11-14
61. 1 3-Tray In-Out Baskets	C1980.2.1
62. Metal Letter Separator	C1980.2.2
63. 2 3-Tray Office In-Out Baskets	C1980.2.3,4
64. Wooden Box Unit/3 Shelves	C1980.2.5
65. Wooden Office Table (White)	C1978.2.15
66. White Refrigerator	C1978.2.16

Items	Accession No.
67. Round Glass Mirror	C1978.2.18
68. Tracing Equipment	C1980.2.6
69. 3 Garbage Pails	C1984.150.1-3
70. 1 Drafting Table Top	C1984.150.1.4
71. 1 Drafting Chair	C1984.150.1.5
72. 1 Parallel Rule	C1984.150.1.7
73. 1 Filing Cabinet, Legal Size, Two Drawer	C1984.150.1.8
74. 2 White Topped Metal Framed Tables	C1984.150.1.9,10
75. 1 Stenographers Rolling Office Chairs	C1984.105.1.11
76. 2 Executive Rolling Office Chairs	C1984.150.1.12.13
77. 2 Small Round Tables	C1984.150.1.14,15
78. 1 Large Round Table	C1984.150.1.16
79. 1 Clothing Rack	C1984.150.1.22
80. 1 Translucent Textured Chair Mat	C1984.150.1.23
81. 2 Pair of Curtains	C1984.150.1.24,25
82. Glowboard/Light-Table	C1984.82.1
83. Wooden Table	C1987.215.1-6
84. Wooden Table	LC.1980.11.4
85. Metal Waste Baskets	C1978.2.3-9
86. Remington Typewriter	C1978.2.17
87. Manual Typewriter	C1979.30.1A
88. Portable Cassette Tape Recorder	C1984-3-1
89. Electric Pencil Sharpener	C1984-3-2
90. 53 Rug Samples	C1980.6.1
91. Cash Register	LC1979.29.2
92. Sewing Machine	C1978.4.1
93. Electric Typewriter	C1979.4.1
94. Electric Kettle	C1987.25.1
95. Fan	C1983.30.1
96. Back Projector-Pixmobile	2476
97. Desk Lamp - 3 way clamp	C1987.29.1
98. Electric Fry-Pan	11-1-1
99. Kettle - Proctor Silex	C1983.34.1
100. 2 Flashlights	C1984.77.1,2,3
101. Felt Blinds	C1984.78.1A,B

Items	Accession No.
102. Flashlight	C1984.104.1
103. Flashlight	C1984.105.1
104. Flashlight	C1984.163.1
105. Portable AC/DC Cassette Tape Recorder	C1984.178.1
106. 3-Piece Curtain Set	C1986.352.1A-1C
107. Print Show Slides	C1986.384.1A-1R
108. Slide Projector Time	C1986.388.1A-1B
109. IBM-Typewriter Elements (Assorted)	C1986.551.1-7
110. 5 Tiered Efficiency Trays (Letter Sized)	C1986.552.1
111. Bodium-Bistro Coffee Maker	C1986.553.1A,B,C
112. 2 Fans Oscillating	C1986.556.1,2
113. Light Meter-Sekonic	C1986.624.1
114. Polariod Spectra Camera	C1986.626.1A,B,C
115. Photographic Developing and Enlarging Kit	C1986.630.1
116. Clipboards (45)	C1986.661-1-117
117. Tripod-Hakuba	C1987.2.1
118. Cash Box - Metal	C1987.3.1
119. Key Control Box - Metal	C1987.4.1
120. Desk Tray-4 Compartment	C1987.5.1
121. Copy Holder-Metal	C1987.6.1,2
122. File Sorter	C1987.27.1
123. Answering Machine	C1987.70.1A-D
124. Plug in Transformer	C1987.100.1
125. Telephone	C1987.100.2
126. 2 IBM Typewriters	LC1986.2.3,4
127. Coffee Maker	LC1985.2.1
128. Coffee Grinder	LC1985.3.2
129. Donation Box	C1988.125.1
130. 3 Electric Cocks	C1989.40.1-3
131. Clock Face	C1991.12
132. 2 Wall Clocks	C1991.25A,B

TABLE OF CONTENTS

Appendix "B" as referred
to in Section 9 of the FIRST Report
of the Parks and Recreation
Committee for 1996

<u>I.</u>	(a) <u>Definitions</u>	<u>2</u>
	(b) <u>Support Statement</u>	<u>3</u>
	(c) <u>Purpose</u>	<u>3</u>
	(d) <u>Background</u>	<u>3</u>
	(e) <u>Goals</u>	<u>4</u>
	(f) <u>Objectives</u>	<u>4</u>
	(g) <u>Coordinating Committee</u>	<u>5</u>
	<u>- Special Events Advisory Team</u>	
<u>II.</u>	<u>General Policies and Procedures</u>	<u>6,7</u>
<u>III.</u>	<u>How to Make Application for a Special Event</u> <u>(sample application form attached)</u>	<u>8</u>
<u>IV.</u>	<u>Noise Policy</u>	<u>9</u>
<u>V.</u>	<u>Vendor Policy and Procedure</u>	<u>9</u>
<u>VI.</u>	<u>Alcohol Related Events</u>	<u>10</u>
<u>VII.</u>	<u>Fireworks</u>	<u>10</u>
<u>VIII.</u>	<u>Health Department</u>	<u>11</u>
<u>IX.</u>	<u>Ontario Hydro</u>	<u>11</u>
<u>X.</u>	<u>Structures/Tents/Temporary Structures</u>	<u>11</u>
<u>XI.</u>	<u>Event Charges</u>	<u>12</u>
<u>XII.</u>	<u>Municipal Property Rental Statement</u>	<u>13</u>

/

CITY OF HAMILTON
GUIDELINES FOR SPECIAL EVENTS
1996 January

I(a) In this set of Guidelines the following Definitions are:

1. Special Event - means annually or infrequently occurring activities that take place within the responsibilities of the Culture and Recreation and Public Works and Traffic Departments
2. Community Event - a special event that does not profit an individual, group of individuals or a "for profit" company.
 - organizations with elected Executive Board, annual meeting and non-profit charitable numbers are eligible.
 - can be held as a fundraising event for benefit of a community group.
3. Non-Community Event - an event that is held for the purpose of business, profit making or promotion of an individual, group or organization or Corporation.
4. City - the Corporation of the City of Hamilton.
5. Region - the Regional Municipality of Hamilton Wentworth
6. S.E.A.T. - Special Events Advisory Team Staff Technical Committee assisting the organizations to fulfil the requirements to hold a special event.
7. Municipal/Regional Properties - all facilities owned/operated by the Corporation of the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth.

Facilities include, but are not limited to:

 - roads
 - parks
 - parking lots
 - alleyways (assumed and unassumed)
 - City owned lands
 - walkways/pathways/trails
 - road allowance
 - water lots
 - open spaces
8. Police Officer - member of Hamilton-Wentworth Regional Police
9. Fireworks - a "high" level show requiring a Licensed Fireworks Supervisor

I(b) SUPPORT STATEMENT

The Corporation of the City of Hamilton and Regional Municipality of Hamilton-Wentworth recognize the importance of Special Events in enhancing quality of life, tourism, culture, recreation, education and in providing economic benefits to local businesses. All of which would not be possible without the invaluable service of volunteers, community groups and sponsors that add their support and skills to enhancing the community events.

I(c) PURPOSE:

The Special Events Guidelines document is a comprehensive manual which outlines all policies, procedures and municipal by-laws which an event organizer(s) must abide by in order to receive approvals to operate an Event. The manual outlines associated fees and charges for related services provided by the City and/or Region.

I(d) BACKGROUND:

Each year the City/Region receives many requests from individuals and groups to operate special events on municipal/regional property. In 1994 over 200 Special Events were administered. These events vary in scope, purpose, size, costs and complexity. The management of special events on municipal properties requires the coordinated efforts of municipal/regional staff to ensure safe event operation and adherence to applicable by-laws, policies and procedures.

All events shall be categorized as either community or non-community events.

Community Events

A special event that does not profit an individual, group of individuals or a "for profit" company and,

Any organization that has an elected Executive Board, an annual meeting and a non-profit or charitable number.

Non-Community Event

An event that is held for the purpose of business, profit making or promotion of an individual group or organization.

The primary characteristics of Special Events are:

- open to the public
- the main purpose is the celebration or display of a specific theme

- takes place once a year or less frequently
- has predetermined opening and closing structures and,
- the program may consist of several separate activities

The Special events may be:

Ethnic
Theatrical
Commemorative
Sporting
Artistic
Festivals
Picnics
Parades/Walkathons
Sidewalk Sales
Street Dance

I(e) GOALS:

1. To provide logistical assistance to Special Events Organizers to operate on municipal /regional properties.
2. Ensure that consistent standards and approach are maintained for all special events throughout the City/Region.
3. To ensure that event applications are evaluated fairly and equitable.
4. To ensure that events are administered in a fiscally responsible manner.

I(f) OBJECTIVES:

1. To work closely with the Economic Development Department in promoting Hamilton as an attractive location to host Special Events.
2. To establish licence agreements and permits between the event organizer and the City/Region for the use of municipal/regional property.
3. To establish criteria and operating policies and procedures which will be reviewed annually by the Special Events Advisory Team.
4. To develop an application form to be used for all events.

City of Hamilton
Guidelines for Special Events

5. To establish criteria for managing conflicting Special Events requesting the use of a facility/location on the same date.
6. To prepare recommendations regarding Special Event applications for Committee and Council approvals by the Director of Culture and Recreation and/or Commissioner of Public Works Traffic Departments.
7. To establish criteria to recover relevant costs of services provided by the City/Region and to ensure that appropriate liability insurance is in place.
8. To review and assess each post-event to determine if:
 - standards were adhered to (SEAT guidelines/by-laws)
 - impact the event had on community
 - suggest where improvements could be made for future events

I(g) CO-ORDINATING COMMITTEE - SPECIAL EVENTS ADVISORY TEAM:

The Special Events Advisory Team (S.E.A.T.) consists of representatives of a cross section of City and Regional departments. To ensure all policies, procedures and municipal bylaws are adhered to, each event requires guidance from various City/Regional departments. The coordinated team approach provides "one stop shopping" for event organizers.

The S.E.A.T. Committee consists of members from the:

Culture and Recreation Department
Department of Public Works and Traffic - (Parks Division, Noise Control and Traffic Division)
Fire Department
City Clerk's Department
Treasury Department
Regional Police Department
Regional Health Department
Regional/City Roads Department
Hamilton Street Railway
Economic Development Department
Ontario Hydro
Parking Authority

City of Hamilton
Guidelines for Special Events

Property Department (when applicable)
Building Department (when applicable)
Law Department (consultation with)
Environmental Services

II. GENERAL POLICIES AND PROCEDURES

1. The Special Event organizer shall adhere to all policies, legislation, by-laws and regulations.
2. All costs incurred at special events by the event organizer are established by the City/Regional municipalities. These costs include users fees for municipal/regional properties, related administrative services and rental of site amenities such as snow fencing, garbage receptacles etc. Such fees will be reviewed and approved by City/Regional Councils annually. All above mentioned costs are to be paid by the event organizer.
3. Event organizers requesting park permits for events such as: barbecues, picnics, tent erection and selling food and non alcoholic beverages will be issued by the Director of Culture and Recreation, as directed by Council.
4. The Event Operator shall be re-assessed and provide proof of licenses required to operate the event and any further information requested by the Law Department.
5. A "Community Events" organizer must maintain public liability insurance of no less than \$2,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth additional insured.

A "Non-Community Events" organizer must maintain public liability insurance of no less than \$3,000,000., naming the City of Hamilton and/or Regional Municipality of Hamilton-Wentworth as additional insured.

The Organizer of an event that includes fireworks and/or amusement rides must maintain public liability insurance of no less than \$5,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton Wentworth additional insured.

The Organizer of an event that includes alcohol must maintain public liability which shall include liquor licensed liability of no less than \$5,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton Wentworth additional insured.

City of Hamilton
Guidelines for Special Events

- The Special Event Operator agrees to indemnify and hold the Corporation of the City of Hamilton and/or the Region of Hamilton-Wentworth harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions during the use of the municipal facility. All insurance documents must be acceptable to the City Solicitor of the City and/or the Regional Solicitor prior to the event.
7. The Special Event Organizer must submit a detailed comprehensive plan indicating parking facilities/methods and a list of vendors for approval prior to the event.
 8. The Parking at Special Events on Municipal Lands, as per Council Recommendation 1995, September 26 is as follows;
 - a) That the policy to permit event organizers to charge a fee for the parking of vehicles in parks and on municipal parking lots adjacent to parks during special events/festivals be sustained for 1996 and that the Director of Culture and Recreation report annually on this matter.
 - b) That the policy be amended to include a requirement for event organizers to file a complete Income Statement with the Director of Culture and Recreation within 90 days of the completion of their events.
 9. The Event Organizer is responsible for clean-up during the event as well as clean-up, removal of all event equipment and garbage. The facility must be restored to its pre-event condition within 48 hours after completion of the event.
 10. Refreshments shall not be provided to the public in glass containers.
 11. The event Organizer agrees to follow the Recycling Policy of the City/Region.
 12. The Event Organizer may be required to post a performance bond, 10 days prior to the event, if the City/Region deems it necessary.
 13. The Special Event organizers in good standing, shall be given first right of refusal for the use of a municipal property the same date the next year.
 14. The Event Organizer is required to provide an adequate number of portable accessible washroom facilities based on expected attendance.

City of Hamilton
Guidelines for Special Events

15. The event Organizer shall provide medical and first-aid services.

III. HOW TO MAKE APPLICATION FOR A SPECIAL EVENT

1. Complete and submit a Special Events Application Form (for Park Permits) to the City of Hamilton, c/o Culture and Recreation Department,
71 Main Street West,
Hamilton, Ontario, L8N 3T4.

Complete and submit a Special Events Application Form (for Road Permits) to the Region of Hamilton Wentworth, c/o Roads Department,
6th Floor City Hall, 71 Main Street West
Hamilton, Ontario L8N 3T4

2. Attend a meeting with SEAT to review the application.
3. Annual events application must be submitted by November prior to the event year.
4. Outline how your event will benefit the City of Hamilton and/or Region of Hamilton Wentworth.
5. When making application for Special Events, consideration of the following conditions must be addressed through the Special Events Advisory Team:
- (a) Temporary Structures/Structures and Tents:
The event organizer shall;
 - obtain a tent permit through the Building Department of the City of Hamilton
 - in addition, an inspector will inspect the tent before your event to ensure that all the specifications laid out in the permit are being followed.
 - (b) Anytime you are holding a special event or gathering, you are expected to provide adequate medical/first aid services.
 - (c) Anytime you are holding a special event that will involve the sale of alcohol to the public, you must:

City of Hamilton
Guidelines for Special Events

- at least 60 days prior to your event contact the Liquor Licence Board of Ontario and make an application for the appropriate permit. The LLBO may require Committee and Council approval of your event before a permit is issued.

IV. NOISE POLICY

The amplification of sound for Special Events shall be limited to between the hours of 11:00 o'clock a.m. to 11:00 o'clock p.m. except New Year's Eve Countdown at midnight and fireworks display on July 1st. The cost of a Noise Control Officer at the time of the event is the responsibility of the Special Event Organizer. Non compliance with the City's established noise levels shall result in closure of an event and/or court fines and/or charges.

This policy is subject to change based on site specific guidelines.

V. VENDOR POLICY AND PROCEDURE

1. All vendors, except Craft and Artisans (transient and trades), must be registered with the City Clerk's Department of the City of Hamilton to operate a concession at a special Event on municipal property and will be required to obtain and pay for any required permits.
2. The vendors in Parks, under the Department of Public Works and Traffic's Street Vendor Program, will be allowed to operate during special events at their designated location(s).
3. The City of Hamilton reserves the right to operate its concession services at any Special Event.
4. All vendors must carry a minimum of \$3,000,000. space liability insurance, Non-Profit vendors and/or charitable groups must carry a minimum of \$2,000,000. of liability insurance naming the City of Hamilton and/or the Regional Municipality of Hamilton - Wentworth additional insured.

City of Hamilton
Guidelines for Special Events

VI. ALCOHOL RELATED EVENTS

For events where Alcohol is being served the Event Organizer must obtain Committee and Council approval where required in accordance with the LLBO policies, and the Special Event Operators **must:**

1. Obtain a Special Occasion Liquor Permit and provide a copy of the licence to the City /Region 30 days prior the event.
2. Must restrict the sale of alcohol on City/Regional properties to between the hours of 11:00 o'clock a.m. and 11:00 o'clock p.m.
3. Must hire police officers to be in attendance for the duration of the licensed event. The number of officers shall be determined by the Police Department and be relative to the expected attendance.
4. Enclose any structure licensed for the sale and consumption of alcohol with two perimeter fences. The outside fence must be set at a minimum of five feet from the inside fences.
5. Ensure that at least one person certified under the Smart Serve Program of Ontario is on duty during all hours of operation.
6. Carry public liability insurance of \$5,000,000. including liquor license liability naming the City/Region of Hamilton-Wentworth as named insured.

VII. FIREWORKS

Event involving the discharge of high powered fireworks for display, the organizer must adhere to the City of Hamilton Fireworks By-law by:

- obtaining an application from the Hamilton Fire Department to allow the discharge of fireworks
- providing proof that there will be a licensed fireworks officer on site, for the event to be granted the permit
- notifying the Police Department if firing theatrical pyrotechnics (starters pistol)

City of Hamilton
Guidelines for Special Events

VIII. HEALTH DEPARTMENT

The Event organizer, when operating food services to the public shall:

- notify the Health Department as to what and how food will be prepared and offered to the public.
- complete Health Department application forms and submit it 60 days prior to the event to the Health Department.
- provide site map illustrating locations of water source, food vendors, washrooms and garbage disposals for approval.
- provide for a minimum of one (1) garbage can at the site and shall dispose of all debris during and immediately at the end of the event.
- After reviewing the application, vendors may be required to attend a meeting with the Health Department prior to the event. A Public Health Inspector will contact the organizer to ensure that all food preparation standards are met and that proper procedures are followed. Copies of all Public Health documents and authorization are to be provided to the City prior to the event.

IX. ONTARIO HYDRO

- The event organizer must contact Ontario Hydro prior to the event (minimum 48 hours) so that a permit is issued for inspection, if required, and discussion of procedures for the event.

X. STRUCTURES/TENTS/TEMPORARY STRUCTURES

Event organizer must apply for a building permit from the Building Department of the City of Hamilton. There will be applicable permit fees, plan examination and structure inspection.

City of Hamilton
Guidelines for Special Events

XI. EVENT CHARGES

ITEM	COST	NOTE
Attendants		
Beer Gardens Permit		
Commercial Parkland Rental Fee		
Electric Service Overtime		
Electrical Service		
Major Special Event		
Other		
Snow Fence		
Turf Recovery		
Water Hook-Up, Hydrant		
Water Service		
Any Direct Cost Incurred Because of Special Event Operation		
Utility consumption costs		
% parking revenue		
Signage costs		

City of Hamilton
Guidelines for Special Events

XII. MUNICIPAL PROPERTY RENTAL STATEMENT

Municipal property rental fees are as follows (includes parades and road allowance events.) This to be included once Corporate User Fee Policy established.



1996 January 30

Application for:

- Temporary Street Closure
- Special Event / Festival
- Parade

Organization:		Charitable Organization: #		
Agent:		Address:		
Telephone (Res):	Telephone (Bus):	Application Date:	Signature:	Received by:

Type of Event				
<input type="checkbox"/> Parade	<input type="checkbox"/> Cycling Event	<input type="checkbox"/> Walkathon	<input type="checkbox"/> Run	<input type="checkbox"/> Special Event / Festival
<input type="checkbox"/> Other (Specify)				

Number of Participants:	Expected Attendance:	Number of Bands:	Number of Vehicles:	Number of Floats:	Others : (Specify)
Function to Commence:	Location	Date	Time		
Function to Terminate:	Location	Date	Time		
Site Requested:	Event Includes:		<input type="checkbox"/> Food	<input type="checkbox"/> Sound Amplification	<input type="checkbox"/> Liquor <input type="checkbox"/> Fireworks

*Full Closure	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Route:		

- Conditions: (1) Detailed map or site plan must be included with application.
- (2) All applications must be submitted no less than 90 days prior to event date.
- (3) Applicants must supply certificate of insurance meeting City/Regional requirements (minimum of \$2,000,000).

Official Use Only Below This Line

Level of Special Event/Festival	01	02	03
Distribution			
<input type="checkbox"/> Roads	<input type="checkbox"/> Culture & Recreation	<input type="checkbox"/> Police Service	<input type="checkbox"/> Fire Prevention
<input type="checkbox"/> City Traffic	<input type="checkbox"/> Parks/Public Works	<input type="checkbox"/> Noise Control	<input type="checkbox"/> Public Health
<input type="checkbox"/> Go Transit	<input type="checkbox"/> Ontario Hydro	<input type="checkbox"/> H.W.R.P.S. Traffic Div.	<input type="checkbox"/> Parking Authority
<input type="checkbox"/> City of Stoney Creek	<input type="checkbox"/> Town-Dundas	<input type="checkbox"/> Town-Glanbrook	<input type="checkbox"/> Town-Flamborough
			<input type="checkbox"/> Ambulance Dispatch
			<input type="checkbox"/> H.S.R.
			<input type="checkbox"/> Town-Ancaster
			<input type="checkbox"/> Other

Approved by:

Roads	Culture & Recreation	Police
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*All applications for full road closures or park usage are subject to final approval by area Municipal and/or Regional Councils.

City of Hamilton
Guidelines for Special Events

SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Bayfront Park

1. The event must be seen to demonstrate significant community wide and/or tourism benefits before being granted full use of Bayfront Park.
2. The upper plateau is to be used for set-up.
3. No event set up on plaza area or parking (disabled) area.
4. All asphalt access roads must remain unobstructed and clear for emergency access.
5. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
6. During special events/festivals permanent public washrooms will be closed.
7. Vehicles in excess of GVW of 4500 lbs to be limited to the road asphalt area and not turf areas.
8. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
9. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
10. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
11. Frequency of events during May - October shall be limited. Every 3rd weekend to be free of events.
12. City staff required on site during the festival/event will be paid for by the event organizer.
14. The Vendors in Bayfront Park under the Department of Public Works and Traffic Street Vendors Program be allowed to operate during Special Events at their designated areas.

City of Hamilton
Guidelines for Special Events

SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Pier 4 Park

1. Rental of Park does not restrict the general public use of: beach area, Tugboat/play structure/spray pad area.
2. Rental of the Park does not include use of the parking lot area.
3. All access roads must remain unobstructed and clear for emergency access.
4. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
5. During special events the permanent public washrooms will be closed.
6. Vehicles in excess of GVW 4500 lbs to be limited to the road asphalt and brick paver areas and not turf areas.
7. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
8. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
9. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
10. City staff required on site during the festival/event will be paid for by the event organizer.
11. The Vendors in Pier 4 Park under the Department of Public Works Street Vendors Program be allowed to operate during Special Events at their designated areas.

City of Hamilton
Guidelines for Special Events

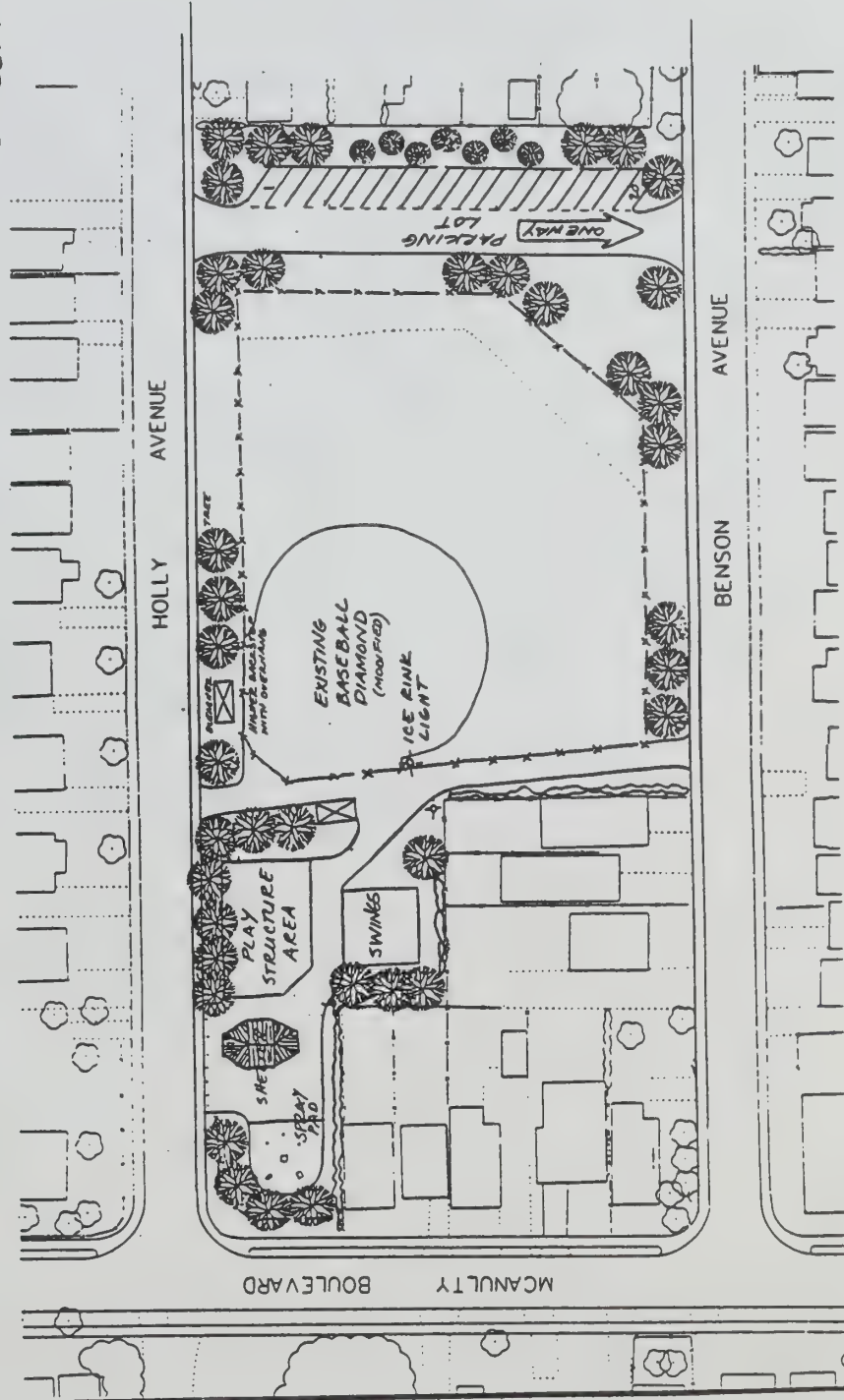
SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Gage Park

1. Parking is permitted in areas designated on attached plan.
2. All access roads must remain unobstructed and clear for emergency access.
3. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
4. During special events/festivals permanent public washrooms will be closed.
5. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
6. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
7. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
8. City staff required on site during the festival/event will be paid for by the event organizer.
9. The Vendors in Gage Park under the Department of Public Works and Traffic Street Vendors Program be allowed to operate during Special Events at their designated areas.

Appendix "C" as referred to
in Section 13 of the FIRST
Report of the Parks and
Recreation Committee for 1996

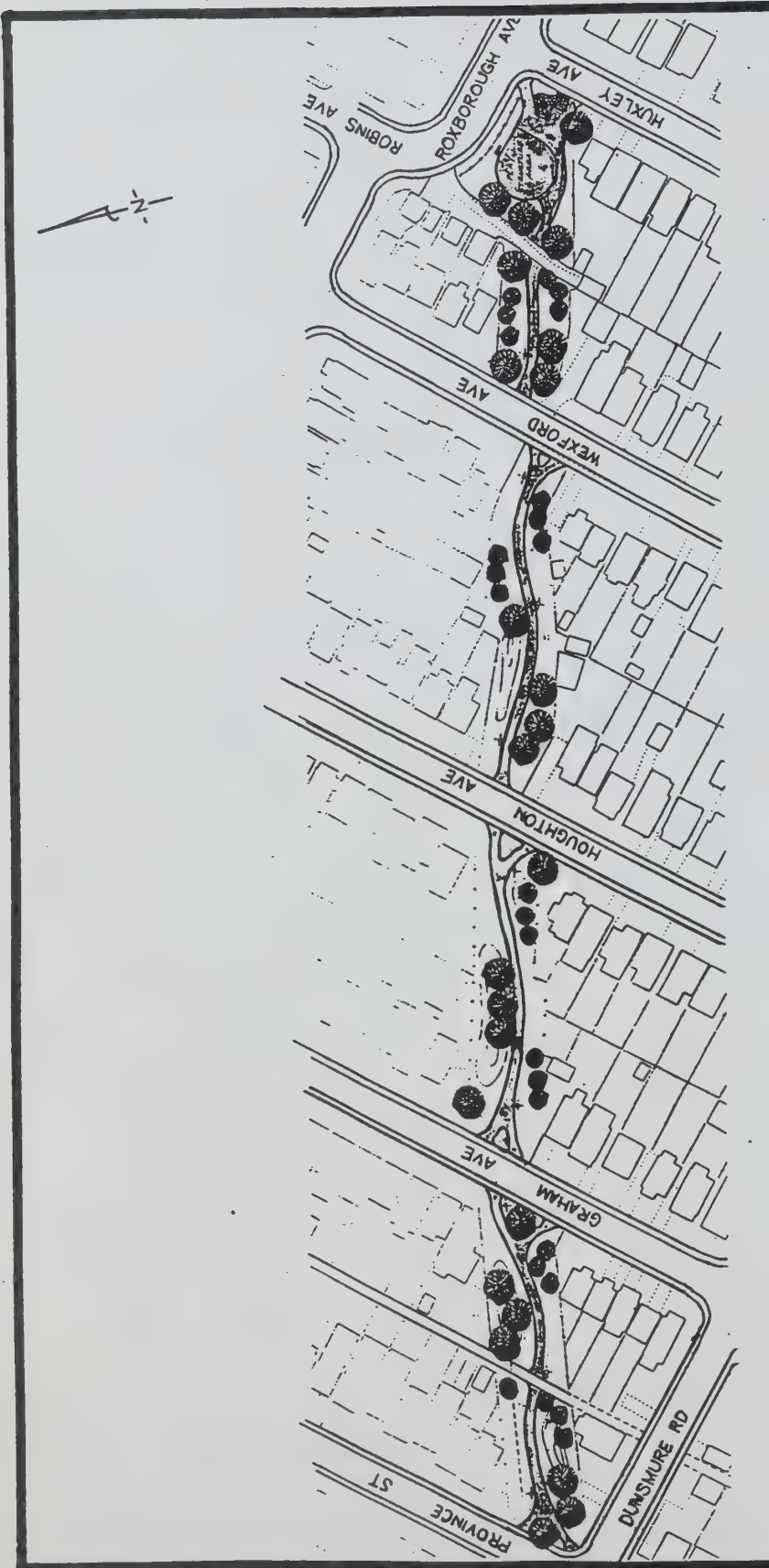
ST. CHRISTOPHER'S PARK
CONCEPT 'B'



Appendix "D" as referred to in
Section 14 of the FIRST
Report of the Parks and
Recreation Committee for 1996

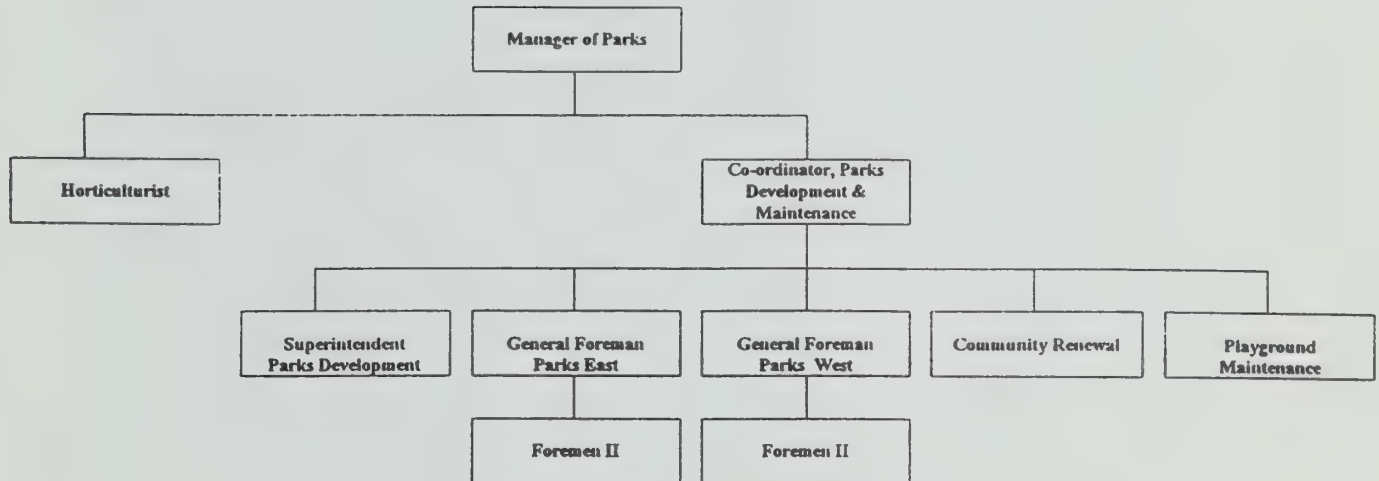
OCT/95

PLAN OF
PIPELINE PARK
CONCEPT

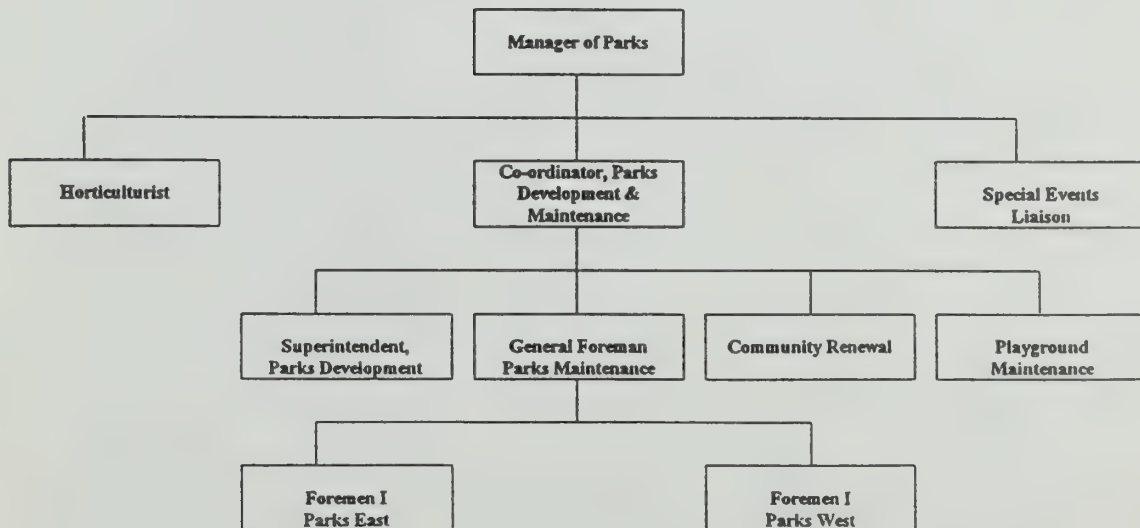


EXISTING STRUCTURE - 1995

Appendix "E" as referred to in
Section 15 of the FIRST
Report of the Parks and
Recreation Committee for 1996



PROPOSED STRUCTURE - 1996



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-28, A. Hemstreet, owner, for a further modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the temporary use of lands and the existing building for the sale of new and used automobiles for a further three year period, for property located at No. 1492 Upper James Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, as amended by By-laws Nos. 86-201, 90-227 and 92-160 applicable to the subject lands, be further modified in accordance with Section 39 of the Planning Act, R.S.O. 1990, to permit the temporary use of the lands and the existing building(s) only, for the sale of new and used automobiles for a further maximum period of three years;
 - (ii) That notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;
 - (iii) That notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a minimum 3.0 m wide landscaped planting strip shall be provided and maintained only along the northerly lot line; and,
 - (iv) That notwithstanding Section 18(3)(ivc)(c) of Zoning By-law No. 6593, no visual barrier shall be required;
 - (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-939c, and that the subject lands on Zoning District Map W-9D be notated S-939c;
 - (vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;

- (vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) That Section 8. of the Second Report of the Planning and Development Committee for 1993, respecting changes in zoning from "AA" (Agricultural) District, "C" (Urban Protected Residential, etc.) District and "C" (Urban Protected Residential, etc.) District modified, to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified, to permit commercial uses including a multiple bay, coin operated car wash, for lands located at Nos. 1492 and 1500 Upper James Street, as shown on the attached map marked as Appendix "B", be repealed in its entirety.
2. (a) That approval be given to Amended Zoning Application 95-30, Harley Knight, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, for Block "1", and a modification to the established "AA" (Agricultural) District regulations, for Block "2", to permit development of Block "1" for two single-family dwellings fronting onto Bordeaux Court and to retain the existing dwelling on Block "2", for lands located at No. 371 Rymal Road East, as shown on the attached map marked as Appendix "C" on the following basis:
- (i) That Block "1" be rezoned from "AA"(Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (ii) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:
 - (1) That notwithstanding Section 9.(4) every lot shall have a width of at least 11.6 m and an area of at least 360 m²;
 - (iii) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to Block "2," be modified to include the following variance as a special requirement:
 - (1) That notwithstanding Section 7A (4) every lot shall have an area of at least 1,200 m².
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1352, and that the subject lands on Zoning District Map E-18D be notated S-1352;

- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D for presentation to City Council; and,
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
3. That the proposed revisions regarding the Revised Concept Plan- Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood are major enough that a new zoning application will be required and that the Ontario Municipal Board be advised accordingly.
4. That in accordance with the provisions of the City's Ground Lease to the Lessee, Second Real Properties Limited, (formerly Second Phase Civic Square Limited), the City, as Lessor, grant its approval to a second mortgage of the Ground Lease being made by our Lessee, as borrower, in favour of Royal Trust Corporation of Canada, Mortgagee, in the amount of five million dollars, at an interest rate not exceeding 9%, for a term of five years, subject to the following conditions:
- (a) That the Leasehold Mortgage is subject to the rights of the City as Lessor under the Ground Lease dated 1975 November 19, entered into between the City as Lessor and Second Real Properties Limited as Lessee; and
 - (b) That the five million dollar Mortgage shall be a second mortgage in favour of Royal Trust Corporation of Canada, Trustee for The Standard Life Assurance Company; and
 - (c) That Royal Trust Corporation of Canada and Second Real Properties Limited, (together with its two assignees, Masbro Development Limited and Second Phase Enterprises Inc.,) enter and deliver to the City;
 - (i) the City's Lloyd D. Jackson Square Consent to Mortgage Agreement, in which the Mortgagee agrees to be bound by the Ground Lease if it were to take over the Lease;
 - (ii) an Undertaking to the City to abide by the obligations of Second Real Properties Limited under the Hotel Interface Agreement dated 1984 July 30; and
 - (d) That the Mayor and City Clerk be authorized to execute the City's Consent Agreement in a form satisfactory to the City Solicitor. The Agreement shall be registered on title to the premises leased from the City by the Lessee.

5. That the Building Commissioner be authorized to issue a demolition permit, as per Section 33 Chapter 1(7) of The Planning Act for the building located at 266 - 280 King Street East in accordance with By-Law 74-290 subject to the following conditions:
 - (a) That the new building to be substantially completed on the site not more than two years from the day demolition of the existing residential property is commenced; and,
 - (b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for each of the 17 dwelling units in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act.
 - (c) That the demolition permit be issued only upon issuance of a building permit.
6.
 - (a) That a Commercial Loan in the amount of eight thousand, three hundred and seventy dollars (\$8,370.) to Antonio, Luisa, Rosie, Sandra and Livia D'Addario, as joint tenants, for improvements to 387 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 per cent, amortized over 10 years; and,
 - (b) That a grant from the Barton Street Revitalization Fund in the amount of four thousand, one hundred and eighty-five dollars (\$4,185.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program; and,
7.
 - (a) That a Commercial Property Improvement Loan in the amount of twelve thousand, one hundred and five dollars (\$12,105.) to George Nikolica and Nedelyka Nikolica for improvements to 353 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 per cent, amortized over 10 years; and,
 - (b) That a grant from the Barton Street Revitalization Fund in the amount of six thousand and fifty-two dollars (\$6,052.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program.

8. (a) That a Commercial Property Improvement Loan increase of three thousand, five hundred and forty dollars (\$3,540.) to Sang-Kuen Jun and Wae-Sook Jun for improvements to 397 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Program. The total loan will be \$14,972. The interest rate is set at 4 1/8 percent, amortized over ten years, and;

(b) That an increase in grant from the Barton Street Revitalization Fund in the amount of one thousand, seven hundred and seventy dollars (\$1,770.) be approved to pay-down the increase in Commercial Loan as per the terms of the Barton Street Revitalization Program.
9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, eight hundred and forty-five dollars (\$1,845.) be approved for Debra Cole, 146 Berkindale Drive, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and twenty-five dollars (\$1,725.) be approved for Julia Jakubiak, 34 Franklin Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
11. That a loan increase of \$353. be approved for Mr. and Mrs. K. Nunes, 74 Burlington Street East, under the Hamilton Emergency Loan Program (H.E.L.P.). The total loan is now \$1,402.
12. That the Building Commissioner be authorized to issue a demolition permit for 211 Beach Boulevard in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
13. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-95-236, respecting property located at No. 110 Bowman Street.
14. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to approve Application No. A-95-257, respecting property located at No. 400 Queensdale Avenue East (Inch Park Arena).
15. That the appropriate staff (e.g. Law and Planning Departments) not attend the Ontario Municipal Board hearing on 1996 January 29 in support of the Committee of Adjustment decision to deny Application No. A-167/94, respecting property at 43 Albermarle Street.

16. (a) That the Region be requested to approve the application by B.J. Clark, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to 1997 February 28; and,
- (b) That the Region of Hamilton-Wentworth be advised that the City of Hamilton has no objection to the inclusion of an additional condition that the owner provide any easements to the Regional Municipality of Hamilton-Wentworth as required by the Region in order to provide servicing to adjacent developers; and,
- (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
17. That the City of Hamilton accept the sum of \$ 15,000.00 as a cash payment in lieu of the 5% land dedication in connection with Eleanor Heights Addition - Phase 2, Hamilton, located in the Eleanor Neighbourhood north of Brenda Street and Bolzano Drive, south of Stone Church Road East, being the cash payment required under Section 51 of the Planning Act.
18. (a) That the 1996 operating budget of the Westdale B.I.A. (attached as Appendix "D") be approved in the amount of thirty-five thousand dollars (\$35,000); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1996 budget as referenced in (1) above; and,
- (c) That the following Schedule of Payments for 1996 be approved.

January 01	\$11,000.
March 01	\$ 8,000.
June 01	\$ 8,000.
September 01	\$ 8,000.

NOTE: 1995 Levy arrears will be deducted from the payments for 1996

19. (a) That the 1996 operating budget of the Concession Street B.I.A. (attached as Appendix "E") be approved in the amount of ten thousand, one hundred dollars (\$10,100.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1996 budget as referenced in (1) above; and,

1996 January 30

(c) That the following Schedule of Payments for 1996 be approved:

January 01	\$2,525.
March 01	\$2,525.
June 01	\$2,525.
September 01	\$2,525.

NOTE: 1995 levy arrears will be deducted from the payments for 1996.

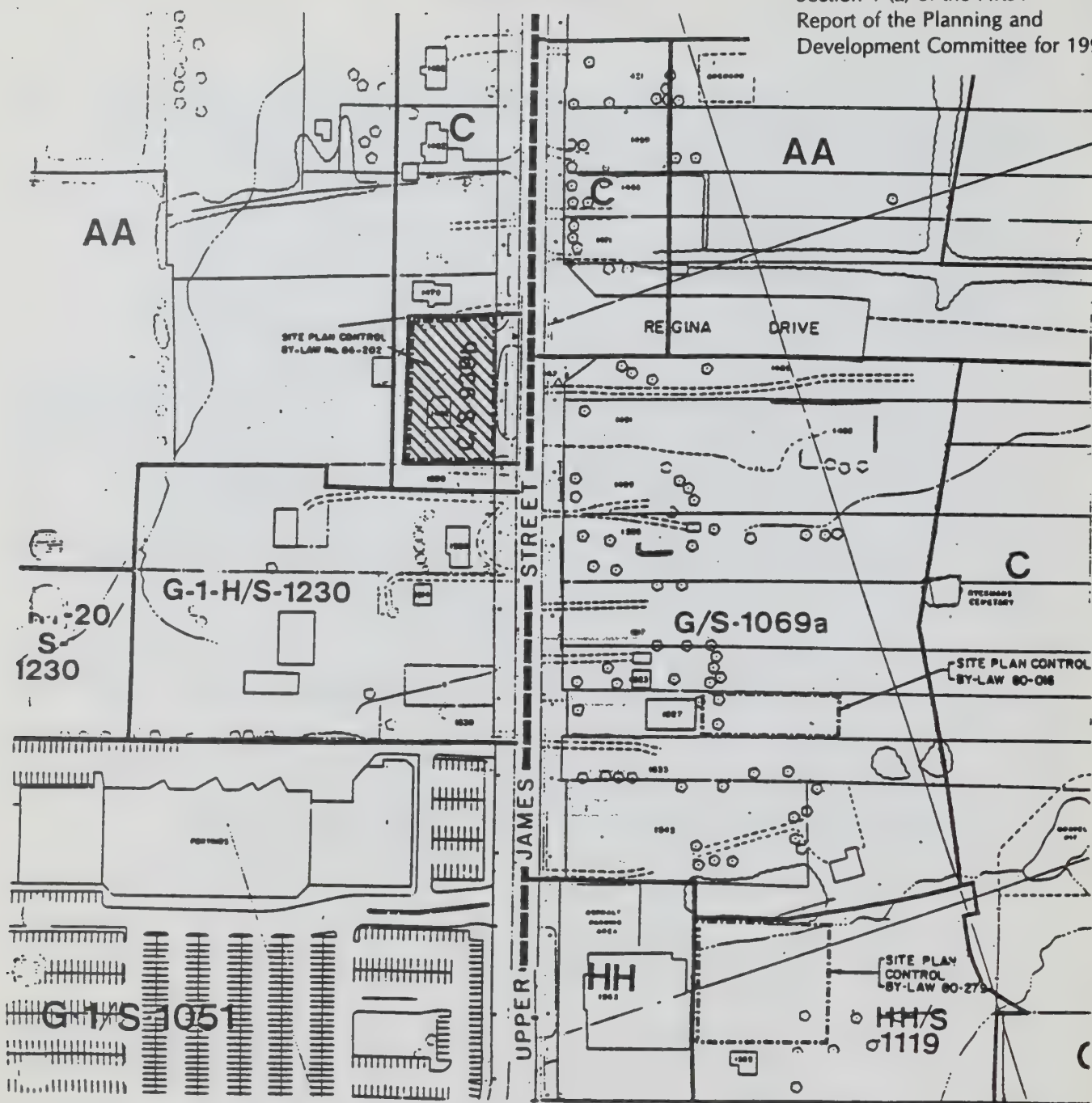
20. That the City of Hamilton respectfully requests CN Railway to continue heating the CN Railway Station located on James Street North at a minimal level sufficient to prevent further deterioration, for the purpose of preserving the upgraded condition of the building and thereby maintaining its economic and cultural value.
21. (a) That the City Council request the Region of Hamilton-Wentworth to implement the previously requested delegation of authority for consents to the City of Hamilton effective 1996 May 1; and,
(b) That the City Clerk notify the Regional Clerk and the Regional Commissioner of Planning and Development of Council's decision.
22. That the City request the Ontario Municipal Board to amend Zoning Bylaw 94-178, 180 Walnut Street South such that the bylaw will be effective for a two (2) year temporary period commencing on the date of the Board's decision.
23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-01 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 412 Aberdeen Avenue.
 - (b) C-02 By-law to Amend Zoning By-law No. 6593 As Amended by Zoning By-law No. 93-143 Respecting Land Located at Municipal No. 29 Severn Street.

Respectfully submitted,

**ALDERMAN F. D'AMICO, VICE-CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 January 24**

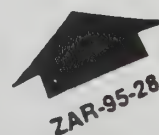
Appendix "A" referred to in
Section 1 (a) of the FIRST
Report of the Planning and
Development Committee for 1996

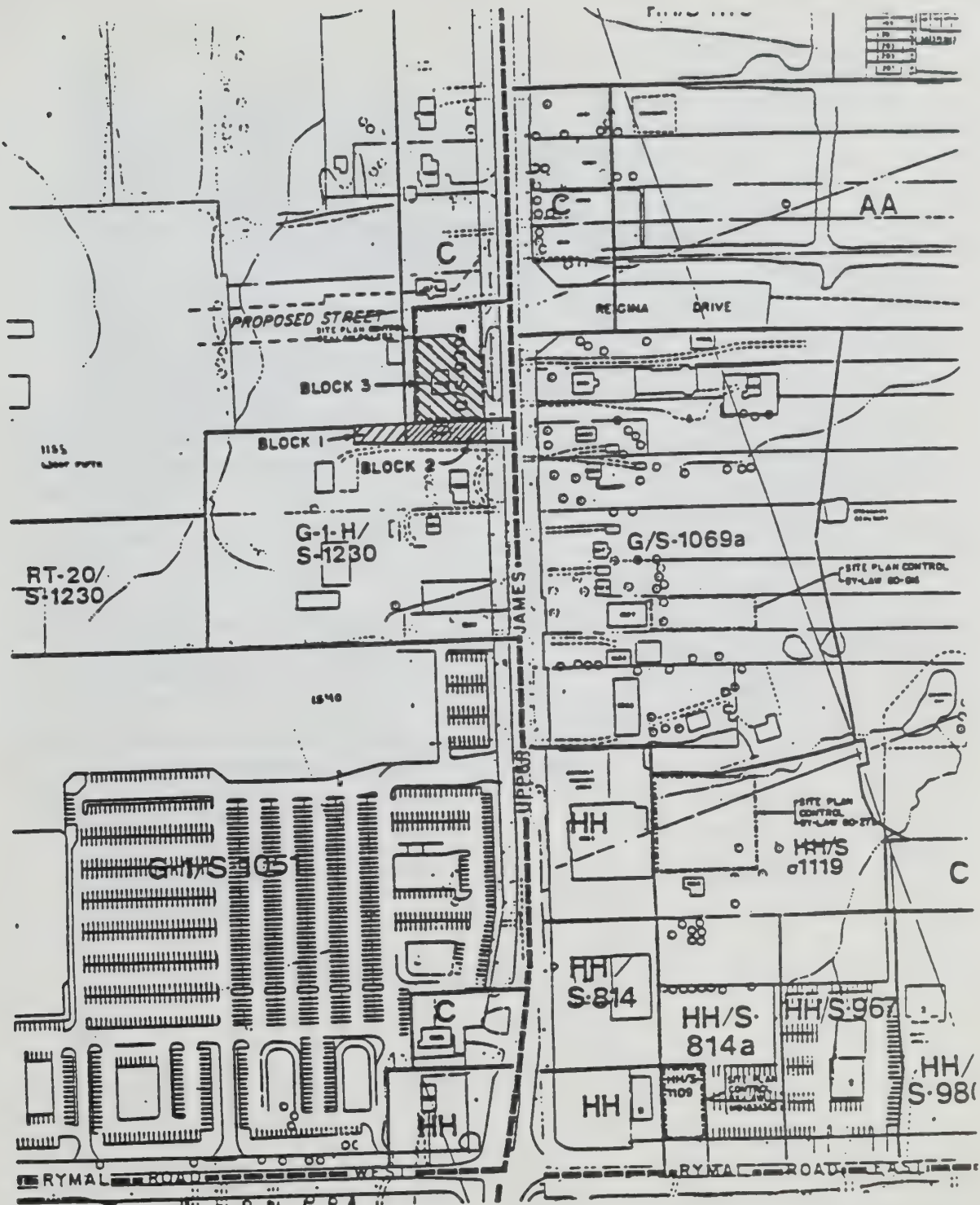


Legend






Site of the Application

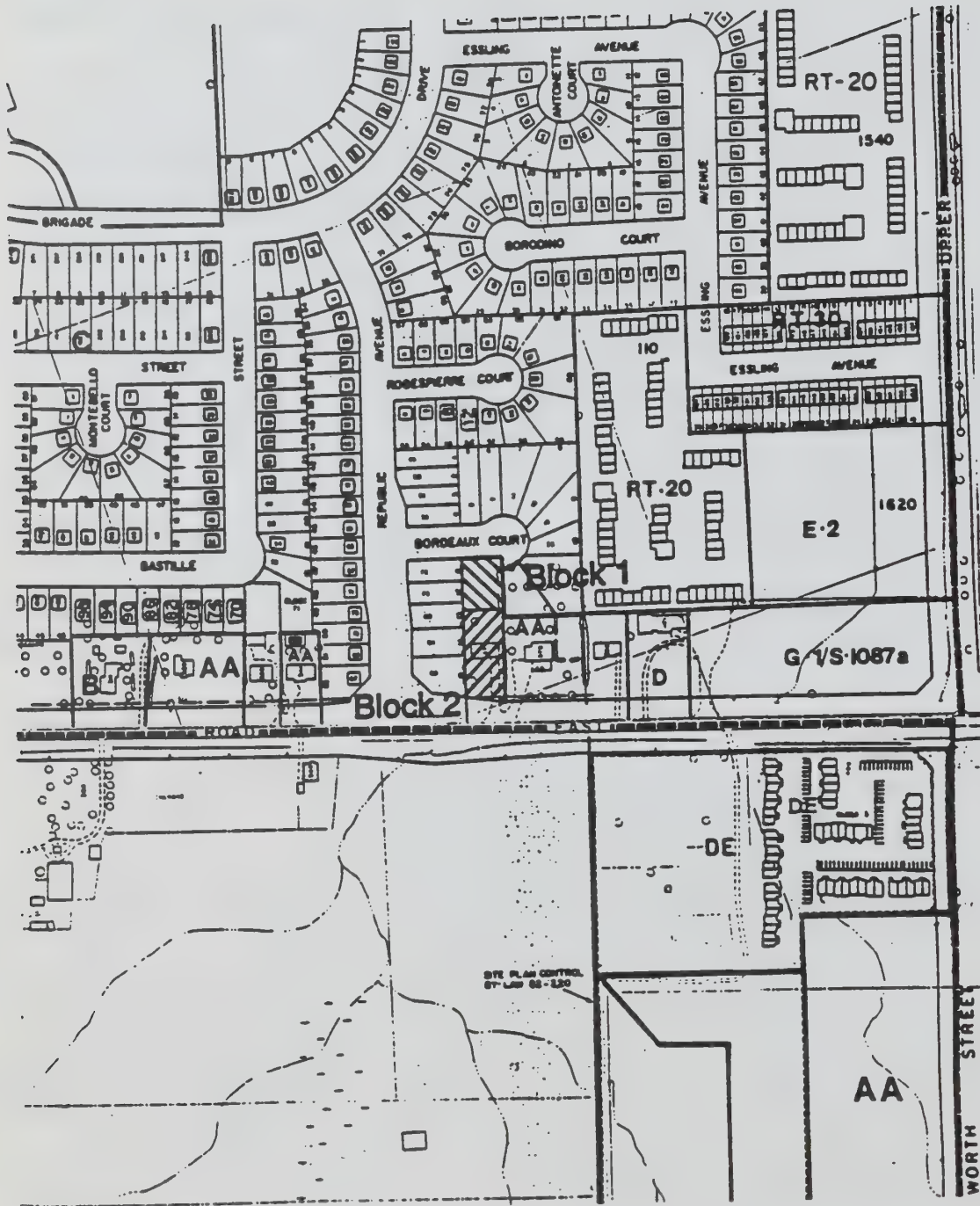






Legend

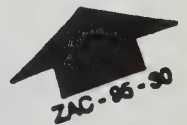
Proposed change in zoning from:

- BLOCK 1  "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, modified.
- BLOCK 2  "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified.
- BLOCK 3  "C" (Urban Protected Residential, etc.) District, modified to "HH" (Restricted Community Shopping and Commercial) District, modified.



LEGEND

- Block 1  Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified
- Block 2  Proposed modification to the "AA" (Agricultural) District



Appendix "D" referred to in
Section 18 (a) of the FIRST
Report of the Planning and
Development Committee for 1996

**WESTDALE VILLAGE B.I.A.
APPROVED 1996 BUDGET**

Office & Internal Expenses	\$2,500.
Advertising	\$3,000.
Sidewalk Sale	\$2,000.
Insurance	\$ 500.
Hydro	\$ 500.
Auditor	\$ 500.
Beautification	\$2,000.
Christmas Decorations	\$1,500.
Walk of Hope	\$1,000.
Fesitival	\$4,000.
Allowance for uncollected '95 levies and hiring of summer student	\$17,500.
TOTAL	<u>\$35,000.</u>

Appendix "E" referred to in
Section 19 (a) of the FIRST
Report of the Planning and
Development Committee for 1996

Concession Streets Business Improvement Area

Proposed Budget for 1996

Expenses

<u>Advertising and Promotion</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
Installation and Storing of Christmas Decorations	\$4,000.	\$4,000.	\$2,800.
Hydro - Christmas Lights	800.	800.	800.
Advertising and Promotion	<u>2,425.</u>	<u>2,425.</u>	<u>5,000.</u>
	7,225.	7,225.	8,600.
<u>Administration</u>			
Association Dues	400.	400.	400.
Insurance	550.	550.	750.
Accounting	300.	300.	350.
Bank Charges	<u>100.</u>	<u>100.</u>	<u>Nil</u>
	1,350.	1,350.	1,500.
<u>Office</u>			
Newsletter	500.	500.	500.
<u>Other</u>			
Miscellaneous	<u>500.</u>	<u>500.</u>	<u>500.</u>
	<u>\$9,575.</u>	<u>\$9,575.</u>	<u>\$11,100.</u>

Income

BIA Tax Levies	\$10,100.
City of Hamilton Grant - Christmas Decorations	<u>1,000.</u>
	<u>\$11,100.</u>

1996 January 30

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1.
 - (a) That approval be given for the use of Optical Scan Poll Level Vote Tabulators for the 1997 City of Hamilton Municipal Elections; and,
 - (b) That the City Clerk and Returning Officer be authorized to enter into discussions and negotiations with the City of Winnipeg to lease their 156 Optical Scan Poll Level Tabulators supplied by Business Records Corporation at a cost of \$350. per Unit plus support and service fees; and,
 - (c) That the Mayor and the City Clerk be authorized and directed to execute a Lease Agreement with the City of Winnipeg in a form satisfactory to the City Solicitor; and,
 - (d) That the total leasing costs not to exceed \$100,000. be funded from the City Clerk's Department 1996 Capital Budget allocation for the acquisition of a Replacement Election System.
2. That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Ford World Curling Championships being held in Hamilton on 1996 March 23 - 31 as an event of municipal significance, and as such has no objection to the following list of licensed venues being allowed to operate for extended hours as herein referenced:
 - (a) Tuesday, 1996 March 26 - to advance the hours of serving from 11:00 a.m. to 7:00 a.m. in order to permit the serving of alcoholic beverages in conjunction with the GTM Breakfast and related events to take place at Copps Coliseum, Hamilton Victoria Curling Club and Glendale Golf and Country Club; and,
 - (b) Saturday, 1996 March 30 - to advance the hours of serving from 11:00 a.m. to 9:00 a.m. to permit the serving of alcoholic beverages in conjunction with the United States Curling Association Breakfast/Brunch taking place at the Sheraton Hotel; and,

- (c) Friday, 1996 March 22 to Sunday, 1996 March 31 - to extend the hours of closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Sheraton Hamilton Hotel, The Royal Connaught Howard Johnson Plaza Hotel, the Ramada Hotel, and the Town and Country Hotel; and,
 - (d) Saturday, 1996 March 23 to Saturday, 1996 March 30 - to extend the hours for closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Hamilton Victoria Curling Club; and,
 - (e) Wednesday, 1996 March 27 - to extend the hours for closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Venetian Club, John Street North.
3. (a) That the 1996 General Grant Applications be processed in a manner consistent with the 1995 General Grant Applications which includes consideration of written presentations only of the Grant Applicants by the Committee of the Whole; and,
- (b) That the Committee of the Whole consider the 1996 General Grant requests at a meeting subject to confirmation 1996 March 28; and,
- (c) That all 1996 General Grant Applicants be advised of this process.
4. (a) That the Mayor and City Clerk be authorized to execute an agreement with LGS Group Inc. of North York, to perform the Operational review of the Information Systems Department, based on their proposal dated 1995 October; and,
- (b) That a purchase order be issued to LGS Group Inc. with an upset limit of \$60,800.; and,
- (c) That the agreement be in a form satisfactory to the City Solicitor; and,
- (d) That these recommendations be forwarded via Regional Council to the Administrative Services Committee for information.
5. (a) That the Constituent Assembly be requested to forward the service and representation assumptions to be given to their newly hired consultants (KPMG), which will form the basis for the cost analysis; and,
- (b) That staff report back on the progress of the Constituent Assembly's consultant study.

6. (a) That the membership of the Board of Directors for the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited consisting of 15 Directorships (nine elected officials and six citizens) be reduced to a total of ten with the 3:2 ratio of elected officials to citizens being maintained, thus, allowing for six elected officials (one being the Mayor) and four citizens; and,

(b) That the elected officials component of nine, one of which is currently vacant, be reduced to six only after the next municipal election unless one or more vacancies occur in the interim.
7. That approval be given to the Sesquicentennial Public Speaking Committee to use the Council Chamber on 1996 Sunday, September 15, 22 and 29, from approximately 1:00 p.m. to 10:00 p.m. for the semi-finals of the Public Speaking Competition.
8. (a) That approval be given to the action taken by the City Clerk in authorizing Big Time Productions to use the Second Floor Council Annex from 12:00 to 1:00 p.m. on Tuesday, 1995 December 5, Tuesday, 1995 December 12 and Thursday, 1995 December 21 for the Christmas Music In The City Program; and,

(b) That the City Clerk be authorized to approve of a similar event in future years, provided it does not conflict with any other activity.
9. (a) That approval be given to authorize the remittance of payment to the Association of Municipalities of Ontario in the amount of \$13,161.52 for the City of Hamilton's 1996 Membership fee; and,

(b) That this cost be financed from Account No. CH56011-10032 - Memberships.
10. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

20 Beland S
80 Norway

27 William

(b) That the Mayor and City Clerk be authorized to execute the authorizing by-law and Extension Agreements.

11. (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1996 pending receipt of current revenues; and,
(b) That the appropriate borrowing by-law be approved.
12. That a by-law be enacted to:
 - (a) Repeal By-law 94-085 which appointed an Acting Treasurer; and,
 - (b) Appoint Mr. Terry Daw, Mr. Nik Adhya and Mr. Cecil Mascarenhas as Acting Treasurers in the absence of the Treasurer.
13. That the prelevy residential and non-residential mill rates for 1996 be established at figures slightly below 50% of the 1995 respective mill rates as follows:
 - (a) (i) That a real property tax prelevy mill rate of 206 mills be established for 1996 to be billed in two instalments of 103.0 mills each, payable 1996 February 29 and March 29. This prelevy rate represents 49.914% of the 1995 residential mill rate; and,
(ii) That a business tax prelevy mill rate of 242 mills be established for 1996 to be billed in one instalment, payable 1996 February 29. This prelevy rate represents 49.841% of the 1995 non-residential mill rate.
 - (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1995 charge, to be billed in two equal instalments, payable 1996 February 29 and March 29.
14. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$238,019.53 be approved and charged to CH53307-24104 Tax Remissions.
15. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 January 12, attached herewith and marked Appendix "A", be approved.

16. (a) That the amendment to the Air Handlers' Provincial Collective Agreement, Local 537, be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,

(b) That the Fair Wage Schedule be amended to reflect this change.
17. (a) That the City of Hamilton confirm it has no interest in a parcel of land measuring approximately 15 feet by 50 feet (described as Part 2, 62R-13582) situated at the rear of 400 Wentworth Street North by quit claiming this portion to the current owners of 400 Wentworth Street North, namely, Waterjet Machinery Inc.; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
18. (a) That the City resolve Ontario Court (General Division) Action No. 6429/94 by the payment to the Plaintiffs, April, John, and John Michael Couture of the sum of \$6,586.80 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to obtain Court approval of the infant settlement in a form and manner satisfactory to the City Solicitor.
19. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 27165/91 on the following terms:
 - (a) That the City pay to the Plaintiff, Nestor Medina, the sum of \$10,000., inclusive of all damages, interest, and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 27165/91 be dismissed, as against the Corporation of the City of Hamilton, without costs.
20. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 22460/90 on the following terms:
 - (a) That the City pay to the Plaintiffs, Carol and Charles Repasi, the sum of \$127,167.39 inclusive of all damages, interest, and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action No. 22460/90 be dismissed, as against the Corporation of the City of Hamilton, without costs.
21. That the City concur in the settlement proposal of the Assessment Appeal by the Hamilton Harbour Terminals Inc. as follows:
- (a) The Realty Tax Reductions will be made on the basis that for the period 1994 May to 1995 May HHT Inc. was not a tenant of the inside shed space and offices; and,
 - (b) HHT Inc. will be responsible for business assessment under Section 7 of the Act; and,
 - (c) All Outstanding Realty Appeals at the Assessment Review Board/Ontario Municipal Board will be withdrawn immediately; and,
 - (d) All Section 442 Applications will be processed to be consistent with the above; and,
 - (e) There will be no interest on the refund or costs of the application.
22. (a) That the City decline to accept the Defendant's Offer to Settle in this matter whereby the Defendant, Jockey Club Tavern Ltd., would pay to the City \$20,000., inclusive of all claims for damages, interest and costs, the City would reduce the Defendant's BIA assessments by 75% in future and the Defendant would acknowledge membership in the Ottawa Street BIA; and,
- (b) That the City Offer to Settle all outstanding issues in Ontario Court of Appeal file No. C16095 in the following terms:
- (i) That the Defendant shall pay to the City one-third of all outstanding BIA levies together with one-third of all outstanding interest and penalties on such BIA levies, calculated as of the date of the acceptance of this Offer; and,
 - (ii) That the Defendant shall pay to the City its Party/Party costs of the original Action in the amount of \$12,078.25; and,
 - (iii) That the City will accept the sums of money set out in paragraphs (i) and (ii), in equal monthly instalments over a period of thirty-six months, without further interest, and that upon final completion of payments the City will issue a Satisfaction Piece to the Defendant with respect to the monetary and cost provisions of the Judgment in Ontario Court (General Division) Action No. 2353/86; and,

- (iv) That forthwith after the acceptance of this Offer, the Defendant's Appeal to the Court of Appeal in file No. C16095 be dismissed without costs; and,
- (v) That the City use its best efforts to amend the Ottawa Street BIA By-law (By-law 86-31) pursuant to the provisions of the Municipal Act, to reduce the BIA levy with respect to the Jockey Club Tavern Ltd, and/or its successor corporation, Oakwood Place Inc., by two-thirds. Subject to the prior receipt by the City of a written undertaking from the Defendant, or its successor corporation, in a form satisfactory to the City Solicitor, that it will not take any steps to appeal such amendment to the OMB or otherwise to attempt to use the occasion of the consideration of an amending by-law to have itself removed from the Ottawa Street BIA, or to seek a levy of a lesser amount than referred to in this Offer; and,
- (vi) That in the event that the Defendant elects to make the 36 equal monthly payments as referred to in paragraph (iii), and any monthly payment is not made, in full and on schedule, the whole remaining amount due pursuant to paragraphs (i) and (ii) shall become payable forthwith. In that event, should the Defendant fail to make full payment of the remaining balance due within thirty days, the City shall be entitled to rely upon and enforce the full amount of the Judgment in Action 2353/86, subject only to deduction of amounts already received from the Defendant; and,
- (vii) That this Offer remain open for acceptance until withdrawn or until 4:59 p.m. on the last business day prior to the day upon which the hearing of this Appeal before the Ontario Court of Appeal proceeds, whichever first occurs.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-1 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-2 A By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.
- (c) D-3 A By-law respecting An Acting Treasurer.
- (d) D-4 A By-law to Amend By-law 93-069 respecting: Zoning Verification Certificates.

- (e) D-5 A By-law to Amend By-law 80-259 respecting: Inspections by the Medical Officer of Health.
- (f) D-6 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 January 23**

Appendix "A" referred
to in Section 15 of the
FIRST Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Cheryl Bogie	I	Client Services Secretary (8B)	H.E.C.F.I.	Replacing Ms. S. Johnson - resigned, Sept. 26/95	\$28,966.08 to \$29,260.92	Dec. 06/95
Ms. Diane Collins	I	Curator (M)	Culture & Recreation	Replacing Ms. M. Denton - resigned, Nov. 01/95	\$40,640.60 to \$47,819.20	Nov. 02/95
Ms. Christine Lowartz	I	Curatorial Assistant (O)	Culture & Recreation	Replacing Ms. D. Collins - promoted, Nov. 02/95	\$34,001.76 to \$39,962.52	Nov. 02/95
Mr. Cecil Mascarenhas	I	Manager of Accounting (E)	Treasury	Replacing Mr. I. Hammel - retired, April 29/94	\$72,475.00 to \$85,343.44	Jan. 01/96

Prepared January 12, 1996

Status	
Internal	I
External	E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Kay Morden	I	Administrative Assistant II (O)	City Clerk's	Replacing Ms. L. Tofani - promoted, July 03/95	\$34,001.76 to \$39,962.52	Dec. 11/95
Ms. Patricia Orr	I	Communications Operator (N1B)	Fire	Replacing Mr. J. McIsaac retired, April 30/95	\$34,234.08	Nov. 27/95

Prepared January 10, 1996

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Douglas Pickard	Customer Service Rep/ Plan Examiner	Building	Terminated	6 years, 8 months	Dec. 13/95

Prepared January 12, 1996

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1996 and respectfully recommends:

1. That the following nominees of the Hamilton Civic Hospitals Foundation be appointed to the Hamilton Civic Hospitals Board of Directors:

<u>Nominee</u>	<u>Term of Office to Expire</u>
.....	1999 December 31
.....	1999 December 31
.....	1996 December 31
.....	1996 December 31

2. That the following citizens be appointed to serve on the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited for a term to expire 1997 November 30:

.....
.....
.....
.....

3. That the following Members of Council be appointed to the Selection Committee for a term to expire 1996 December 31:

Alderman
Alderman
Alderman
Alderman
Alderman

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
NOMINATING COMMITTEE

J. J. Schatz, Secretary
1996 January 30

1996 January 30

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1996 and respectfully recommends:

1.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. J. Schatz, Secretary
1996 January 9

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 JANUARY 30
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Mountwood	East	from 54 ft. south of Louisa to a point 73 ft. southerly therefrom	Anytime."
------------	------	---	-----------

and by deleting therefrom the following item, namely:-

"Beechwood	South	Gage to 47 ft. east	Anytime."
------------	-------	---------------------	-----------

2. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Deschene Avenue North	West	East
Hester Street to Washington Street		
Wavell Avenue		
Inverness Avenue East to Churchill Avenue	East	West."

3. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Leeming	East	commencing at a point 67 feet south of Wright and extending 22 feet southerly therefrom	Anytime
Adeline	West	commencing at a point 50 feet south of Roxborough and extending 20 feet southerly therefrom	Anytime
Adeline	East	commencing at a point 29 feet south of Roxborough and extending 22 feet southerly therefrom	Anytime
Gibson	East	commencing at a point 291 feet north of Barton and extending 22 feet northerly therefrom	Anytime
Strathcona	East	commencing at a point 283 feet south of King and extending 20 feet southerly therefrom	Anytime
East 21st	East	commencing at a point 238 feet south of Concession and extending 22 feet southerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

Peter	North	commencing at a point 231 feet west of Queen to a point 27 feet westerly therefrom."	Anytime
-------	-------	--	---------

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 6, ON PLAN 62R-13594
INTO REXFORD DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Rexford Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Rexford Drive.

Part of Block BX, Plan M-177, designated as Part 6, on Plan 62R-13594.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

SCHEDULE "A-1996"

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1995				1996				% Increase Over 1995			
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents					
	Cost	G.S.T.	Cost	G.S.T.	Cost	G.S.T.	Cost	G.S.T.	Total			
BURIALS AND REMOVALS												
<i>Opening and Closing</i>												
- 6 ft. Adult	471.00	32.97	503.97		565.00	39.55	604.55	495.00	34.65	529.65	5%	635.58
- 8 ft. Adult	634.00	44.38	678.38		734.00	51.38	785.38	666.00	46.62	712.62	5%	824.97
- 6 ft. Child	76.00	5.32	81.32		92.00	6.44	98.44	76.00	5.32	81.32	0%	98.44
- case up to 24"	163.00	10.71	163.71		184.00	12.88	196.88	161.00	11.27	172.27	5%	206.51
- case 25" to 42"	224.00	15.68	239.68		296.00	18.83	287.83	235.00	16.45	251.45	5%	301.74
- case 43" to 60"	201.00	20.37	311.37		349.00	24.43	373.43	306.00	21.42	327.42	5%	381.62
- case 61" to 72"	290.00	18.20	278.20		312.00	21.84	333.84	273.00	19.11	292.11	5%	350.66
- case up to 60"	311.00	21.77	332.77		379.00	26.11	399.11	327.00	22.69	349.69	5%	419.44
- case 61" to 72"	153.00	10.71	163.71		184.00	12.88	196.88	161.00	11.27	172.27	5%	206.51
- Cremation	56.00	3.92	59.92		67.00	4.69	71.69	59.00	4.13	63.13	5%	74.90
- Cremorial	100.00	7.00	107.00		120.00	8.40	128.40	110.00	7.70	117.70	10%	134.82
- Columbarium	388.00	27.16	415.16		465.00	32.55	497.55	407.00	28.49	435.49	5%	522.16
- Mausoleum of Memories (Stoney Creek)												
<i>Lowering (includes Opening, Removal, Lowering, Closing)</i>												
- Adult - 6 ft. to 8 ft. - shell	1,820.00	127.40	1,947.40					1,911.00	133.77	2,044.77	5%	
- Adult - 6 ft. to 8 ft. - concrete vault/crypt	1,513.00	106.05	1,621.05					1,591.00	111.37	1,702.37	5%	
- Child - 6 ft. to 8 ft. - 5 to 10 years	646.00	45.22	691.22					678.00	47.46	725.46	5%	
- Child - 6 ft. to 8 ft. - under 5 years	542.00	37.94	579.94					569.00	39.83	608.83	5%	
<i>Removals</i>												
- Adult - Shell	1,656.00	115.92	1,771.92					1,739.00	121.73	1,860.73	5%	
- Adult - Concrete vault or crypt	1,352.00	94.64	1,446.64					1,420.00	96.40	1,519.40	5%	
- Child - Shell	572.00	40.04	612.04					601.00	42.07	643.07	5%	
- Child - Concrete vault or crypt	498.00	32.76	530.76					491.00	34.37	525.37	5%	
- Cremation	153.00	10.71	163.71					161.00	11.27	172.27	5%	

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1995				1996				% Increase Over 1995
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents		
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total
FOUNDATIONS AND MARKERS									
- Foundation - pouring per square inch of surface area (6 feet deep)	0.96	0.07	1.03	1.17	0.08	1.25	1.01	0.07	1.08
							1.23	0.09	1.31
									5%
FOUNDATIONS AND MARKERS									
- 12" X 10" & Child's 16" X 14"	75.00	5.25	80.25	90.00	6.30	96.30	79.00	5.53	84.53
- all other Flat Markers	114.00	7.98	121.98	137.00	9.59	146.59	120.00	8.40	128.40
- Bronze Vase	114.00	7.98	121.98	137.00	9.59	146.59	120.00	8.40	128.40
- D.V.A. Upright	96.00	6.72	102.72	96.00	6.72	102.72	101.00	7.07	108.07
- D.V.A. Flat	96.00	6.72	102.72	96.00	6.72	102.72	101.00	7.07	108.07
									5%
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE									
- Adult Single Grave	464.00	32.48	496.48	573.00	40.11	613.11	487.00	34.09	521.09
- Preferred Single Grave	776.00	54.32	830.32	959.00	67.13	1,026.13	815.00	57.05	872.05
- Child - single in a row	51.00	3.57	54.57	61.00	4.27	65.27	54.00	3.78	57.78
- Child Single Grave	111.00	7.77	118.77	145.00	10.15	155.15	117.00	8.19	125.19
- Urn Garden	164.00	11.48	175.48	197.00	13.79	210.79	172.00	12.04	184.04
- Veteran's Grave	258.00	18.06	276.06	314.00	21.98	335.98	284.00	19.86	303.86
- Two-Grave Lot	441.00	30.87	471.87	2,220.00	155.40	2,375.40	1,958.00	137.06	2,095.06
- Three-Grave Lot - Eastlawn	1,780.00	124.00	1,904.00	1,815.00	127.05	1,942.05	1,825.00	106.75	1,931.75
- Three-Grave Lot - Woodland	1,452.00	101.84	1,553.84	3,325.00	232.75	3,557.75	2,791.00	195.37	2,986.37
- Four-Grave Lot	2,858.00	186.08	3,044.08	8,042.00	562.94	8,604.94	6,759.00	473.13	7,232.13
- Woodland Section 15	6,437.00	450.99	6,887.99	4,431.00	310.17	4,741.17	3,658.00	256.08	3,914.08
- Eastlawn / Woodland	3,484.00	243.88	3,727.88	4,153.00	290.85	4,443.85	3,438.00	240.86	3,678.86
- Four-Grave Lot - Trinity	3,274.00	228.18	3,502.18	1,383.00	95.41	1,478.41	1,302.00	91.14	1,393.14
- Mansion of Memories - Mausoleum crypt	1,240.00	86.80	1,326.80	978.00	68.53	1,046.53	857.00	59.99	916.99
- Cremorial	816.00	57.12	873.12	1,163.00	81.41	1,244.41	1,017.00	71.19	1,088.19
- Columbarium	909.00	67.83	1,036.83				832.00	58.24	890.24
- Monument Columbarium									
- 40% of Grave and Lot sales goes into Care & Maintenance									
- 20% of Mausoleum Crypt sales goes into Care & Maintenance									
- 15% of Columbarium and Cremorial sales goes into Care & Maintenance									

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1995				1996				% Increase Over 1995
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents		
	Cost	G.S.T.	Cost	G.S.T.	Cost	G.S.T.	Cost	G.S.T.	
ADDITIONAL SERVICES									
- Youth	308.00	21.56	329.56		308.00	21.56	329.56		0%
- Social Services	300.00	21.00	321.00		300.00	21.00	321.00		0%
- Intermediate	330.00	23.10	353.10		330.00	23.10	353.10		0%
- Oversize	350.00	24.50	374.50		350.00	24.50	374.50		0%
Miscellaneous:									
- Tent in Cemetery	141.00	9.87	150.87		148.00	10.38	158.38		5%
- Rental of tent outside cemetery	192.00	13.44	205.44		202.00	14.14	216.14		5%
- Transfer fee \$40 + G.S.T.	41.00	2.87	43.87		43.00	3.01	46.01		5%
- Bronze Memorial Plaque for Columbarium Niche	287.00	20.09	307.09		301.00	21.07	322.07		5%
- Companion Vase on Columbarium Niche	56.00	3.92	59.92		59.00	4.13	63.13		5%
- Bronze Memorial Plaque for Cremorial	128.00	8.96	136.96		134.00	9.38	143.38		5%
- Supply, install and maintain flower bed to maximum three graves - per grave	102.00	7.14	109.14		107.00	7.49	114.49		5%
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	357.00	24.99	381.99		375.00	26.25	401.25		5%
- Memorial Bench - 8X5 Bronze plaque - 3 lines	510.00	35.70	545.70		536.00	37.52	573.52		5%
- Flower Pot Hanger	15.00	1.05	16.05		16.00	1.12	17.12		5%
- Family Tree Research - \$2.00 per name									
Note: Special Lettering which carries an extra charge will be added to plaque charge									
NOTE : PERSONAL COLUMBARIUM AND MAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS									
CARE AND MAINTENANCE FUND									
- markers and upright monuments:	N/C				N/C				
- any flat marker under 173 sq. in.	50.00	3.50	53.50		50.00	3.50	53.50		0%
- any flat marker over 173 sq. in.	100.00	7.00	107.00		100.00	7.00	107.00		0%
- any upright monument <= 4 ft. in length/height	200.00	14.00	214.00		200.00	14.00	214.00		0%
- any upright monument over > 4 ft. in length/height									
Provincial Regulation - these funds are set and trusted									

1996 CEMETERY PRICE COMPARISON

	MEMORIAL GARDENS	OAKVILLE CEMETERIES	GREENWOOD CEMETERY.	HAMILTON MUNICIPAL CEMETERIES
TWO GRAVE MONUMENT SECTION	N/A	\$2,376.00	\$2,734.20	\$1,956.00
SINGLE GRAVE FLAT MARKER SECTION	\$1,595.00 to \$3,000.00 (double depth grave) \$895.00 to \$1,225.00 (single depth grave)	\$858.00	\$980.70 to \$1,095.30	\$815.00
TWO GRAVE FLAT MARKER SECTION	\$3,190.00 to \$6,000.00 (double depth graves) \$1,790.00 to \$2,450.00 (single depth graves)	\$1,716.00	\$1,961.40 to \$2,196.60	\$1,956.00
URN GRAVES	\$595.00	\$409.00	\$426.30 to \$478.80	\$284.00
NICHES	\$1,600.00	\$1,000.00 to \$1,236.00	\$1,316.00	\$1,017.00
GRAVE OPENINGS 6 FT.	\$470.00	\$500.00 with container \$954.00 without container	\$559.14	\$495.00
8 FT.	\$570.00	\$600.00 with container \$1,054.00 without container	\$684.16	\$666.00
URN OPENINGS	\$150.00	\$135.00	\$186.32	\$161.00
NICHE OPENING	\$150.00	\$135.00	\$158.59	110.00
MARKER INSTALLATION	N/A	67.00 to \$139.00	\$86.83 to \$106.50	\$79.00 to \$120.00

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 412 ABERDEEN AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(1) of Zoning By-law No. 6593, the following shall be permitted:

(i) a retail book store carried on for remuneration entirely within the existing dwelling by an owner residing in the dwelling unit as their principal place of residence, subject to the following requirement:

(1) a retail book store shall be located only on the ground floor of the existing building, with a maximum floor area not to exceed 15% of the total habitable floor area of the dwelling unit; and,

(ii) one non-illuminated business identification sign that is a name plate or a ground sign, subject to the following requirements:

(1) the area of any sign shall not exceed 0.2 m²;

(2) a ground sign shall be located a minimum of 3.0 m from the front lot line and east side lot line; and,

(3) a ground sign shall have a maximum height of 1.0 m.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1350.

4. Sheet No. W-14 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1350.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

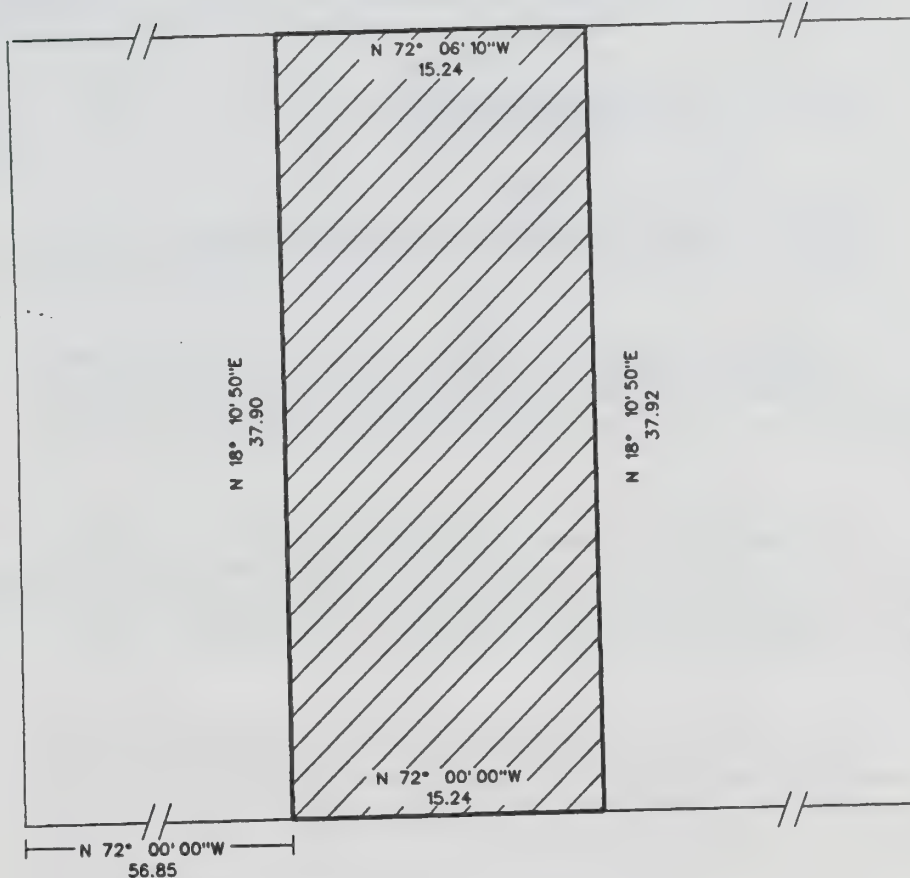
A.D. 1996

CITY CLERK

MAYOR

(1995) 21 R.P.D.C. 1, November 14
 Whatmough Management Inc. (S. Whatmough), Owner
 ZAR-95-26

Dundurn Street South



Aberdeen Avenue

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9,
Passed the day of, 199 ..

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9,
to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 9,

North



Scale
Not to Scale

Date
NOV 1995

Reference File No.
ZAR-95-26

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 93-143

Respecting:

LAND LOCATED AT MUNICIPAL NO. 29 SEVERN STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-143 on the 29th day of June 1993 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 13 of the 22nd Report of the Planning and Development Committee at its meeting held on the 28th day of November 1995, recommended that Zoning By-law No. 6593, as amended by By-law No. 93-143 be further amended as hereinafter provided;

AND WHEREAS the Ontario Municipal Board in its Oral Decision delivered on the 23rd day of November, 1995, (File No. R930355), directed that By-law No. 93-143 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Paragraph (a) of Section 1 of By-law No. 93-143 is amended by deleting the word and number "five (5)" in the second line and substituting therefor "six (6)".

(b) Paragraph (h) of Section 1 of By-law No. 93-143 is deleted and substituted by the following paragraph:

"(h) a front yard of not less than 2.5 m. in depth shall be provided and maintained for the third storey of the building and 5.0 m. for any portion of the building over three (3) storeys in height, excluding encroachments, (ie dormers);"

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1 of By-law No. 93-143 and in section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1310a.

4. Sheet No. W-3 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 93-143, S-1310a.

5. In all other respects, By-law No. 93-143 is hereby confirmed, unchanged.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

(1993) 9 R.P.D.C. 10, May 11
 (1995) 22 R.P.D.C. 13, November 28
 Decision of the Ontario Municipal Board,
 delivered on the 23rd day of November, 1995
 Philip Viana, Owner
 Amended ZA-91-59

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96.

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of

1996 A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	20 Beland S
	SERIAL NUMBER	05 04110 6360
	BRIEF LEGAL DESCRIPTION	Plan 556 Lot 65 to 66
	DATE OF REGISTRATION	October 31, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220408
	REDEMPTION DATE	October 31, 1996
	TOTAL ARREARS	\$10,421.68
B)	PROPERTY ADDRESS	27 William
	SERIAL NUMBER	03 02180 3280
	BRIEF LEGAL DESCRIPTION	Plan 3 Part Lot 42
	DATE OF REGISTRATION	October 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219529
	REDEMPTION DATE	October 17, 1996
	TOTAL ARREARS	\$8,199.97
C)	PROPERTY ADDRESS	80 Norway
	SERIAL NUMBER	03 02520 6310
	BRIEF LEGAL DESCRIPTION	Reg Comp Plan 1494 Lot 6
	DATE OF REGISTRATION	December 4, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM222475
	REDEMPTION DATE	December 4, 1996
	TOTAL ARREARS	\$5,108.83

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds,, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item of the Report of the Finance and Administration Committee on 30th January 1996 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1996 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1996 and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1996 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1995 are Five Hundred and Sixteen Million, Four Hundred and Twenty Eight Thousand and Eight Hundred and Fifty Dollars (\$516,428,850.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. By-law 95-035 is repealed.
6. This by-law shall come into force and effect on the 1st day of January, 1996, and shall remain in force and effect until December 31, 1996.

PASSED this

day of

A.D., 1996.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

An Acting Treasurer

WHEREAS Subsection 77(3) of the Municipal Act, R.S.O. 1990, Chapter M.45 provides as follows:

"77(3) When the office of Treasurer is vacant or the Treasurer is unable to carry on his or her duties through illness or otherwise, the Council may appoint a temporary Acting Treasurer who shall have all the powers and duties of the Treasurer under this and every other Act.;

AND WHEREAS it is intended to provide for the continuance of the normal operations of the Treasury Department and duties of the Treasurer during the absence of the Treasurer through illness or otherwise, including vacation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. Either Terrance W. Daw, Nikhil R. Adhya or Cecil Mascarenhas is appointed Acting Treasurer and shall assume the duties and responsibilities during the absence of the Treasurer through illness or otherwise, including vacation.
2. By-law 94-085 in hereby repealed.

PASSED this

day of

A.D., 1996.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend By-law 93-069

Respecting:

ZONING VERIFICATION CERTIFICATES

WHEREAS various businesses are licensed through By-law 93-069;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 18 of the 29th Report of the Finance and Administration Committee, at its meeting held on the 12th day of December, 1995, directed that the by-law be further amended to require certain new licence applicants to first submit a plot plan and obtain a zoning verification certificate for the business to be operated;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law No. 93-069 as amended, be further amended by adding section 3a immediately after section 3 as follows:

"3a. (1) In this section, "licence" means a licence for a business of the following classes, which is not a renewal or transfer of a current and valid licence under this by-law: a lunch counter, take out restaurant, or restaurant under Schedule 8, a public hall, bingo hall, roller skating rink, billiard parlour or pool room under Schedule 15, a lodging house or second level lodging house under Schedule 28, any class of garage under Schedule 32, or a flea market under Schedule 43.

(2) Every person seeking a licence shall, for the proposed business, submit a plot plan in a form satisfactory to the Building Commissioner or his or her delegate, along with the fees and documents required for a zoning verification certificate, and submit the zoning verification certificate obtained with the licence application at the time of making the application.

(3) Where a person submits a licence application and fails to comply with (2), unless the applicant withdraws the application, the Licence Administrator shall schedule hearing before the Licence Committee seeking denial of the licence for the reason of an incomplete application, and the Licence Committee shall recommend denial of the licence unless the applicant has complied with the requirements of (2)."

2. In all other respects By-law 93-069 as amended is hereby confirmed without change.

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend By-law 80-259

Respecting:

INSPECTIONS BY THE MEDICAL OFFICER OF HEALTH

WHEREAS second level lodging houses are regulated under By-law 80-259;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 19 of the 29th Report of the Finance and Administration Committee, at its meeting held on the 12th day of December, 1995, directed that the by-law be further amended to provide for inspections and reports by the medical officer of health when reasonably necessary, as opposed to monthly;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 80-259 as amended, be further amended by repealing and replacing section 46 with the following:

"46. (1) The licensee of a House shall allow the Medical Officer of Health, as often as he or she deems reasonably necessary, to:

(a) make reasonable inspections of each House and its operation pertaining to compliance with health or safety matters under the by-law, or for compliance with other laws under the jurisdiction of the Medical Officer of Health; and

(b) to file reports on the inspections and operation of each House with the Licensing Committee, which may include recommendations or details relating to compliance with this by-law or other law.

(2) An applicant for a licence under this by-law shall permit the inspection or inspections and reports referred to in (1), for each House for which a licence is applied for, as a condition of licensing."

3. In all other respects By-law 80-259 as amended, is hereby confirmed without change.

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF JANUARY A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of January A.D. 1996

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
A31
1996



URBAN MUNICIPAL

FEB 9 1996

GOVERNMENT DOCUMENTS

1996 February 8

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 February 13
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Father Mike Myroniuk,
Holy Family Roman Catholic Church**
- 3. Nominating Committee - Committee of Adjustment Appointments**
- 4. Adoption of the minutes of the meeting held 1996 January 30.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
 - (e) Nominating Committee (Report to follow)**
- 7. Notices of Motion for next meeting.**
- 8. Question Period.**
- 9. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 January 30
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - vacation

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Martin Rule led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 December 12 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented Certificates of Recognition to the following:

- a) Lois Laxton of Lois Laxton Dance Studio for the 50th Anniversary of teaching dance.
- b) Leslie Pasis was honoured by the Province with a 25 year gold pin.

* * * * *

Mayor R. Morrow presented Certificates of Commendation to the following:

- a) Georgina Snelling
- b) Randy Burtch.

* * * * *

Mayor R. Morrow recognized the contribution of Mr. Gary Schwoob who floods and maintains an outdoor ice surface in Mountain Brow Park for the use and enjoyment of the local residents.

DECLARATION OF APPOINTED OFFICE
--

Deputy Fire Chief Gilbert L. Desjarlais subscribed to the Declaration of Office before Mayor R. M. Morrow.

CORRESPONDENCE

1. Letter dated 1996 January 16 from Fred Loft, General Vice-President, Canadian Union of Public Employees, Local 5, Re: Barricading city parking lots off Barton Street.

Referred to the Finance and Administration Committee.

2. Facsimile dated 1995 December 6 from Russell D. Cheeseman, Holden-Day-Wilson, Barristers and Solicitors, Toronto, Ontario Re: Relocation of CN Stuart Street Rail Yard to Aldershot.

Referred to the Parks and Recreation Committee.

3. Letter dated 1995 December 14 from Jorge Rodriguez, Burlington, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for Block "1" and for a modification to the "C" (Urban Protected Residential, etc.) District for Block "2" for 832 Upper Wentworth Street, Hamilton, Ontario.

Received.

4. Letter dated 1996 January 9 from 867065 Ontario Inc. Mario Presta for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for 252, 262 and 268 James Street South, Hamilton, Ontario.

Received.

5. Letter dated 1996 January 23 from Mr. J. Spears, Chairman of the Board of Directors of the Hamilton Civic Hospitals respecting the appointment of citizen members of the Hamilton Civic Hospitals Board.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 1 Re: 1996 Road and Sidewalk Capital Improvement Programme

It was moved by Alderman Agro and seconded by Alderman Eisenberger:

- (a) That Section 1 of the Transport and Environment Committee's First Report for 1996 be amended by deleting the figure "\$7,445,000." in Sub-Section (a) and replacing it with "\$5,982,000."; and,
- (b) That Appendix "A" of Section 1 of the Transport and Environment Committee's First Report for 1996 respecting the 1996 Road and Sidewalk Improvement Programme be amended by moving "Cumberland Avenue" from the "Roads and Abutting Sidewalks" section to the "Supplementary List" and that the corresponding estimate totals for each section be amended accordingly. **CARRIED.**

* * * * *

Section 26 Re: Purchase Order - 3 M Canada Inc.

It was moved by Alderman Agro and seconded by Alderman Eisenberger that Section 26 of the First Report of the Transport and Environment Committee for 1996 be amended by deleting the words "this expenditure" in the fourth line and replacing them with the following in lieu thereof;

"the estimated expenditure of \$420,000."

CARRIED.

* * * * *

Section 27 Re: By-law No. 94-137: A By-law to Extend the closure of Mead Avenue

It was moved by Alderman Agro and seconded by Alderman Eisenberger that the Transport and Environment Committee's First Report for 1996 be amended by deleting Section 27 in its entirety and replacing it with the following:

- "(a) That the City Solicitor be authorized and directed to amend By-law No. 94-137 to extend the closure of Mead Avenue at a point 757 feet east of the eastern limit of Parkdale Avenue to 1996 March 31st; and,

- (b) That, in accordance with the expiration of the closure, a traffic diversion island be installed at the intersection of Mead Avenue and Brighton Avenue at a cost not to exceed \$5,000. and that City Traffic By-law No. 89-72 be amended accordingly."

CARRIED.

RULE NO. 9

It was moved by Mayor Morrow and seconded by Alderman Agro that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the placement of Sesquicentennial banners along Main Street from Highway #403 to James Street.

CARRIED.

* * * * *

Section 32 Re: Sesquicentennial banners along Main St. from Hwy #403 to James St.

It was moved by Mayor Morrow and seconded by Alderman Agro that the following resolution be added as Section 32 of the First Report of the Transport and Environment Committee for 1996:

32. (a) That approval be granted for the placement of Sesquicentennial banners along Main Street from Highway #403 to James Street; and,
- (b) That the Commissioner of Public Works and Traffic be directed to co-ordinate with the Sesquicentennial Committee, the Main Street West Esplanade B.I.A., and others necessary, the placement and installation of the banners."

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 1 Re: Green Fees - Morgan Firestone - Sesquicentennial Pro-Am Golf Tournament - Waiving of Fees

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 9 Re: Special Events Guidelines - Appendix "B"

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Appendix "B" of Section 9 of the First Report of the Parks and Recreation Committee for 1996 be deleted and replaced with the revised Appendix "B".

CARRIED.

* * * * *

Section 14 Re: Agreement - Region's Waterworks Pipeline property

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Section 14 of the FIRST Report of the Parks and Recreation Committee for 1996 be deleted in its entirety and replaced with the following recommendation:

- (a) That the Director of Property be directed to negotiate and report back for approval of Council the terms and conditions of an agreement under which the City may receive the permission of the Region to develop the surface of the Region's Waterworks Pipeline property (measuring 66 feet in width and extending from Province Street to Huxley Avenue,) for use as a park in accordance with the concept plan referred to below; and,

- (b) That the concept plan for development of the said park (attached as Appendix "A") prepared by the Parks Division of the Public Works and Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved conditional upon Council approval to the terms of the said proposed agreement and conditional upon the Region entering into the Agreement with the City. Preparation of detailed plans, specifications and tender documents to implement the proposed park improvements (estimated cost of \$200,000.) will be prepared once the said agreement has been approved and signed by the Region. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT - 1995

(Negotiations - Scott-MacDonald Limited)

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Section 2 of the Parks and Recreation Committee's Eleventh Report for 1995 respecting negotiations with Scott-MacDonald Limited for a long term lease, adopted by City Council at its meeting held 1995 April 25, and subsequently amended by City Council at its meeting held 1995 October 31 and 1995 December 12 to extend the deadline for negotiations to 1996 January 31, be referred back to the Parks and Recreation Committee. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIRST REPORT

Section 3 Re: New Official Plan Amendment - Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that the First Report of the Planning and Development Committee to Council be amended by deleting Section 3 and replacing it with the following:

3. That a New Official Plan Amendment application be required for the Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood because the proposed revisions regarding the Revised Concept Plan are deemed to be major and that the Office of Consolidated Hearings be so advised.

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Wilson, Merling, Anderson. -3.

CARRIED.

* * * * *

Section 5 Re: Demolition Permit - 266-280 King Street East

It was moved by Alderman D'Amico and seconded by Alderman Eisenberger that Section 5 of the First Report of the Planning and Development Committee for 1996 be referred back.

CARRIED.

* * * * *

Section 6 Re: Commercial Loan - 387 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 7 Re: Commercial Loan - 353 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

Section 8 Re: Commercial Loan - 397 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FIRST REPORT
--

Section 2 Re: Liquor Licence Board of Ontario - Ford World Curling Championships

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 2 (a) Re: Liquor Licence Board of Ontario - Ford World Curling Championships - Alcoholic Beverages - GTM Breakfast

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Wilson. -1.

CARRIED.

RULE NO. 9

(917-941 Queenston Road - City of Stoney Creek,
Re: Adult Entertainment Parlour)

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the City of Hamilton's concern over the proposed use of property at 917 - 941 Queenston Road in the City of Stoney Creek which will potentially allow for the operation of an Adult Entertainment Parlour. **CARRIED.**

Section 24 Re: 917-941 Queenston Road - City of Stoney Creek - Adult Entertainment Parlour

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the following resolution be added as Section 24 of the First Report of the Finance and Administration Committee for 1996:

That the Mayor, on behalf of City Council, write to the City of Stoney Creek indicating concern over the proposed use of property at 917 - 941 Queenston Road in the City of Stoney Creek, which will potentially allow for the operation of an Adult Entertainment Parlour on property which abuts a residential area in the City of Hamilton. **CARRIED.**

NOMINATING COMMITTEE - FIRST REPORT

COMMITTEE OF THE WHOLE - FIRST REPORT

(1996 Capital Budget & 1997-2005 Capital Forecast)

RESOLUTION

(Hamilton Parking Authority - Concept Plan - GO Station)

It was moved by Alderman Agro and seconded by Alderman Jackson that the Hamilton Parking Authority be requested to bring its concept plan for a parking facility to support the GO Station to the next meeting of the Finance and Administration Committee. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF FEBRUARY 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman G. Copps be appointed Acting Mayor for the month of February, 1996. **CARRIED.**

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the Committee of the Whole, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:10 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 January 30
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1996 January 30 from Mayor Walter Mulkewich, City of Burlington Re: City of Burlington Governance Issues. (previously distributed)

Recommendation: **Be Referred to the Finance and Administration Committee.**

2. Application dated 1996 February 6 from A. DiSilvestro, 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "DE-3" (Multiple Dwellings) District modified and "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Detached) District for property located at the south-west corner of Upper Wellington and Rymal Road East, Hamilton, Ontario.

Recommendation: **Be Received.**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. That the existing full-time "Permit Parking" regulation on the west side of Norway Avenue between Maplewood Avenue and Afton Avenue be revised such that it is in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday and that the City Traffic By-law No. 89-72 be amended accordingly.
2. That the existing "No Parking" regulation on the west side of Summit Avenue commencing at Concession Street and extending to a point 128 feet northerly therefrom be revised such that the regulation commences at Concession Street and extends to a point 154 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Annapolis Way between Acadia Drive and Beaverton Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "No Parking" regulation on the east side of Champlain Avenue which commences at Catalina Drive and extends northerly to Greenford Drive be revised to allow unrestricted parking on the east side of Champlain Avenue commencing 96 feet north of the extended south curb line of Catalina Drive and extending 95 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That the City Traffic By-law No. 89-72 be amended to allow for the existing westbound stop sign on Gary Avenue at Dalewood Avenue.
6. That eastbound and westbound stop control be implemented at the intersection of Glow Avenue and Knox Avenue such that the intersection will be controlled by a four-way stop and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Wildewood Avenue be extended 36 feet westerly such that it commences 65 feet east of Brentwood Drive and extends 201 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That a "Permit Parking" regulation be implemented on the south side of MacAuley Street West commencing at a point 269 feet west of MacNab Street North and extending to a point 16 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Paula Fernandes, No. 57 MacAuley Street West.
9.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Dover Drive commencing at a point 94 feet west of Greenford Drive and extending 40 feet westerly therefrom be revised such that the regulation commences 54 feet west of Greenford Drive and extends 122 feet westerly; and,
 - (b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Owen Place commencing at a point 75 feet west of Greenford Drive and extending 117 feet westerly be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
10. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 26th Street commencing at a point 207 feet north of Queensdale Avenue and extending 80 feet northerly and the City Traffic By-law No. 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Stirton Street commencing at a point 36 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Celine Martin, No. 118 Stirton Street.

12. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be removed:

Route No. 24 Upper Sherman

Delete - Westbound - Beaverton Drive, north side 100 feet west of the centre line of Upper Sherman Avenue (F/S); and,

Delete - Eastbound - Acadia Drive, south side, 95 feet west of the centre line of Upper Sherman Avenue (N/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. That Stuart Street between Bay Street North and Queen Street North be removed from the "Through Street" system, and that the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue North commencing at a point 243 feet south of Vansitmart Avenue and extending to a point 21 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Marion Papps, No. 331 Fairfield Avenue North.
15. (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street East commencing at a point 115 feet east of Mary Street and extending to a point 25 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Patricia Barr, No. 129 Picton Street East.
16. (a) That approval be given for the use of a single towing agency for vehicles towed through the Public Works and Traffic Department; and,
- (b) That Lockwood Motors Limited be selected as the towing agency to provide the towing and storage service; and,

- (c) That approval be given to transfer the function of "Priority By-law" towing from the Hamilton-Wentworth Regional Police Department to the Public Works and Traffic Department, effective 1996 February 15.
- 17.
- (a) That a purchase order be issued to Guild Electric Limited, Scarborough, Ontario, for the supply and delivery of sign blanks as and when required during 1996 by the Traffic Division, being the lowest of four bids on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$65,000. be financed through the Traffic Signs Materials Account No. CH56152 75999, and;
 - (b) That a purchase order be issued to Canadian Roadway Products, North York, Ontario, for the supply and delivery of sign blanks as and when required during 1996 by the Traffic Division, being the lowest of four bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$50,000. be financed through the Traffic Signs Materials Account No. CH56152 75999.
18. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved during the pleasure of Council, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
19. That the application of L.A.J.J. Enterprises Inc. to erect and maintain the following encroachments at the condominium complex comprised of 5-7, 9-11 Rockwood Place, 362-366 John Street South and 21-25 Mountwood Avenue:

- (a) Onto Rockwood Place:
6 Sets of steps measuring 0.46m X 1.66m
- (b) Onto John Street South:
2 Sets of steps measuring 0.46m X 0.77m
Portion of retaining wall measuring 0.30m X 0.70m; and,
- (c) Onto Mountwood Avenue:
2 sets of steps measuring 0.46m X 0.74m
Portion of a retaining wall measuring 0.30m X 0.83m; and,
- (d) Onto Louisa Avenue:
Proposed New Jersey barrier measuring 82m in length
Paving measuring 2.0m X 63.0m; and,

be approved during the pleasure of Council, provided:

- (i) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (ii) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,
 - (iii) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment.
20. (a) That, the Director of Property be authorized to negotiate with the following owners for the acquisition of a portion of their lands required for the extension of Elmore Drive in the Eleanor Neighbourhood. The necessary expenditures are to be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands):

Property

Owner

- | | |
|---|---------------------------|
| (i) Part of 1472 Upper Gage Avenue
Part 2, Plan 62R-11322 | John and Barbara Crockett |
| (ii) Part of 1476 Upper Gage Avenue
Part 3, Plan 62R-11322 | Joseph and Joan Salgo |

- | | | |
|-------|--|--|
| (iii) | Part of 1490 Upper Gage Avenue
Part 4, Plan 62R-11322 | Gene and Helen Lee and
Daniel Alvey |
| (iv) | Part of 1496 Upper Gage Avenue
Part 5, Plan 62R-11322; and, | Bertinella Zanesco, In Trust |

- (b) That in the event that the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1996 April 30, the City Solicitor be authorized and directed to initiate expropriation proceedings, and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value. The costs are to be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands).
21. That the City's present "Flat Rate Fee" of \$ 300. per metre of property frontage and/or flankage, applied to all outstanding City of Hamilton municipal servicing costs recovered along 0.30 metre reserves, remain unchanged for 1996.
22. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of the Hamilton and District Sledge Hockey Association to display a promotional banner across Main Street West in front of City Hall from 1996 February 3 to 1996 February 4 and from 1996 February 10 to 1996 February 11 with the message "Wendy's International Sledge Hockey Tournament".
23. (a) That the Commissioner of Public Works and Traffic be authorized to sell surplus cobblestone salvaged from Ferguson Avenue; and,
- (b) That the revenue from the sale of these cobblestones be credited to Account No. 60144 51401 Sidewalk Special Projects to offset the Department's costs of preparing the stones for sale and to facilitate restoration of interlock paving stone surfaces throughout the City in 1996.
24. (a) That the stylized symbol as illustrated in Appendix "B", attached hereto, commemorating Hamilton's 150th sesquicentennial year be approved as a logo to be used for stamping all civic concrete poured during 1996; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to prepare concrete stamps using the approved logo and further to stamp all civic concrete poured in the City of Hamilton in 1996.

25. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-5 A By-law to Amend By-law No. 94-137 and to Repeal By-law No. 95-204 to close a portion of Mead Avenue for a Temporary Period
- (b) A-6 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-7 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (d) A-8 A By-law to Amend By-law No. 95-155 respecting the construction of Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act, comprised of independent concrete sidewalks on the south side of Rymal Road East from Upper James Street to Springside Drive.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 February 5

Appendix "A" as referred to in
Section 18 of the THIRD
Report of the Transport and
Environment Committee for 1996

<u>Location and Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
113 Crosthwaite Avenue	P. and M. Bianchini	Interlocking Brick measuring 2.921m x 0.483m Planter Box measuring 0.660m x 0.483m Concrete Driveway measuring 3.124m x 0.483m Private Walkway measuring 1.044m x 0.483m	138/20	T103 50 1216
16 Chestnut Avenue	S. W. and S. Bell	Steps measuring .70m X 1.22m	138/20	T103 50 1220

Appendix "B" as referred to in
Section 24 of the THIRD
Report of the Transport and
Environment Committee for 1996



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SECOND Report for 1996 and respectfully recommends:

1. That approval be given to Zoning Application ZAR-95-29, Peter Georgakopoulos, owner, requesting a further modification to the "M-12" (Prestige Industrial) District regulations, to permit a restaurant (maximum seating capacity of 30) as an accessory use within the existing banquet hall building, for property located at 1050 Rymal Road East, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (a) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of Zoning By-law No. 6593, as amended by By-law No. 90-43, applicable to the subject lands, be further amended to include the following variance as a special requirement:
 - (i) Notwithstanding Section 17D(1)(b) of By-law No. 6593, the following is permitted:
 - i) a restaurant accessory to the existing banquet facility and catering business with a maximum seating capacity of 30 persons, only within the existing building;
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1154a, and that the subject lands on Zoning District Map E-49E be notated S-1154a;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E, for presentation to City Council; and,
 - (d) The proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. A. (a) That approval be given to Subdivision Application 25T-90001(R), 800064 Ontario Inc. (A. DiSilvestro), owner, to establish a draft plan of subdivision "Claudette Gardens Phase 7", on lands located west of Garth Street and north of Gisele Drive, known municipally as 1600 Garth Street, in the Falkirk East Neighbourhood, as shown on the attached map marked as APPENDIX "B" subject to the following conditions:

- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by J.P. Wooley, O.L.S., dated November 15, 1995, showing 49 lots for street townhouses, 3 lots for single family dwellings, 7 blocks to be developed in conjunction with adjacent lands, a block for a 0.30m reserve, a block for the widening of Garth Street and one street identified as Street "A", as shown on the attached map marked as APPENDIX "C".
- (ii) That the Owner establish Street "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Senior Director, Roads Department.
- (iii) That the Owner dedicate by Certificate on the Final Plan of Subdivision a strip of land 8.23m in width along the entire frontage of the subdivision adjacent to Garth Street to the City of Hamilton as a public highway, for road widening purposes.
- (iv) That the Owner provide the Region with documentation satisfactory to the Commissioner of Transportation/Environmental Services that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width.
- (v) That a 4m x 4m daylight triangle be included on the Final Plan of subdivision at the L-shaped bend in the road allowance on Street "A" at Lot 15 and a 1m x 1m daylight triangles on the corner of Lots 1 and 49 at the intersection of Gisele Drive and Street "A".
- (vi) That the Owner convey Block "60", that being a 0.30 m wide reserve along the rear of Lots 1 to 14 inclusive, to the City of Hamilton, by deed, at the time of registration of the Final Plan of Subdivision.
- (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (viii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;

- (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Senior Director, Roads Department;
- (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch;
- (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction.
- (ix) That the Owner merge in title Blocks 56, 58 and 59 with Lots 21, 20 and 19, Registered Plan 62M-760 at the time of registration of the final plan of subdivision.
- (x) That the Owner merge in title Blocks 53, 54, 55 and 57 with Lots 13, 12, 11 and 10, Registered Plan 62M-746 at the time of registration of the final plan of subdivision.
- (xi) That Street "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (xii) That the Owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.
- (xiii) That the final plan conform with the Zoning By-law approved under the Planning Act.
- (xiv) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
- (xv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (xvi) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
- (xvii) That the Owner enter into a subdivision agreement with the City of Hamilton, in order to satisfy all requirements, financial, engineering and otherwise, prior to the development of any portion of these lands.

(xviii) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-90001(R)), 800064 Ontario Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

(d) That the approved Falkirk East Neighbourhood Plan be amended to add the public highway shown as Street "A" and that Blocks "53" to "57" inclusive, on the draft plan of subdivision be redesignated from "Attached Housing" to "Single & Double" upon Draft Plan Approval of the Plan of Subdivision.

B. That approval be given to Zoning Application 95-27, 80064 Ontario Inc., (A. DiSilvestro), owner, requesting a further modification to the "RT-20" (Townhouse-Maisonette) District regulations to remove the prohibition on street townhouse units (Blocks "1" and "2"), and for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "R-4" (Small Lot Single - Family Dwelling) District for Block "3" and to "C" (Urban Protected Residential, etc.) District for Block "4", for lands located west of Garth Street and north of Gisele Drive, known municipally as 1600 Garth Street, in the Falkirk East Neighbourhood, as shown on the attached map marked as APPENDIX "B", on the following basis:

(a) That the "RT-20" (Townhouse-Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law No. 90-311, applicable to Blocks "1" and "2", be further modified as follows:

(i) That Section 4.(a) of By-law No. 90-311 be deleted in its entirety;

(ii) That notwithstanding Section 10E(2)(a), a townhouse block containing a maximum of 7 single family dwelling units to be used as model units in accordance with the requirements of Section 6.(1) shall be permitted;

(iii) That notwithstanding Section 10F.(4)(c)(ii), a minimum side yard of 1.75 metres shall be provided and maintained for a Street Townhouse Dwelling, not exceeding two storeys in height;

- (iv) That notwithstanding Section 10F(4)(a), a front yard depth of not less than 7.0 m shall be provided and maintained for Block "1";
 - (b) That Block "3" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified, to "R-4" (Small Lot Single - Family Dwelling) District;
 - (c) That Block "4" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified, to "C" (Urban Protected Residential, etc.) District;
 - (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1195b, and that Blocks "1" and "2" on Zoning District Map W-27D be notated S-1195b;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27D for presentation to City Council;
 - (f) That the proposed changes and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
3. That approval be given to City Initiative 96-A, to amend Zoning By-law No. 6593, to require at least 50% of the front yard for single, two and three-family dwellings to be landscaped as follows:
- (a) That Section 18 - Supplementary Requirements and Modifications be amended to include a new section as follows:

SPECIAL REQUIREMENTS FOR FRONT YARD LANDSCAPING

- "18.(14a) Notwithstanding any other provision of this by-law, for any single-family dwelling, two-family dwelling or three-family dwelling:
- (i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials;
 - (ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:
 - (a) unenclosed entrance porches;
 - (b) vestibules;
 - (c) ramps;
 - (d) front steps;

- (e) chimneys;
- (f) bay windows;
- (g) ornamental projections;
- (h) terraces;
- (i) platforms; and,
- (j) a walkway between the front entrance of the principle building and the street line or driveway with a maximum width of 0.6 m.

(iii) Notwithstanding clause 14.(i), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:

- (a) a driveway between the front entrance of the garage and the street line with maximum width of:
 - 1) 3.0 m for each door of a one, two or three car garage; or,
 - 2) 5.5 m for a double door of a two car garage; and,
- (b) a walkway between the front entrance of the principle dwelling and the street line or driveway with a maximum width of 0.6 m.

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel pavers, or other similar materials."

- b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. That the Building Commissioner be authorized to issue a demolition permit, as per Section 33 Chapter 1(7) of The Planning Act for the building located at 266 - 280 King Street East in accordance with By-Law 74-290 subject to the following conditions:
- a) That the new building to be substantially completed on the site not more than two years from the day demolition of the existing residential property is commenced; and,
 - b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for each of the 17 dwelling units in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act.

5. That the concept plans attached as Appendix 'D' identifying various streetscaping improvements within the boundaries of the Barton General B.I.A. be approved for implementation under the Barton Street Revitalization Program at an estimated cost of \$25,000.
6. That the Building Commissioner be directed not to issue a demolition permit for a single family dwelling at 129 Broadway Avenue.
7. That \$4,000. be provided for the Eighth Annual Business Development Seminar that is being held on 1996 October 23, from Phase IV of the downtown Action Plan Account Number CF 5200-428803000.
8. That the Ottawa Street B.I.A.'s request to utilize \$7,142. of the Commercial Improvement Program monies towards a mural project within the B.I.A. boundaries be approved and recovered from account number CF 5698 428705012.
9. That the City of Hamilton's Public Works and Traffic Department, in conjunction with The Keep Hamilton Clean Committee, hold The 8th Annual Public Service Announcement Competition through Mohawk College Media studies Program and CHCH-TV at a total estimated cost of \$2,500.
10. (a) That approval be granted to application CDM-CONV-95-009 submitted by Bartonellis Holdings Limited, 350714 Ontario Limited, Rosa Lardi, owner, for a draft plan of condominium located at 30 Summit Avenue to provide for a condominium comprised of a 7 storey apartment building containing 38 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated January 18, 1996 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,
 - 1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and

- 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. In particular, it is required that the building's non-compliance to the existing Site Specific By-Law 73-13 as amended by Committee of Adjustment A-74:50 be rectified by a re-zoning or minor variance;
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-009);
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
 - (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
11. A. (a) That approval be granted to application CDM-CONV-95-003 submitted by Roy Megna (In Trust), owner, for a draft plan of condominium located at 2373 King Street East to provide for a condominium comprised of a 5 storey apartment building containing 39 individual apartment condominium units, subject to the following conditions:
- (i) That this approval applies to the attached draft plan dated March 24, 1995 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,

1. property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 2. any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. In particular, it is required that the building's non-compliance with General Zoning By-law 6593 namely the existence of a 39th unit be rectified by a re-zoning or minor variance;
- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-003);
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of The Regional Municipality of Hamilton-Wentworth and that the City be advised by The Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from The Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
12. (a) That approval be given to the "Intention to Designate" the Burlington Canal Lighthouse and Keeper's Dwelling complex at 1159 and 1155 Beach Boulevard as a property of historical and architectural value as outlined in the Reasons for Designation attached hereto and marked as Appendix "E", pursuant to the provisions of the Ontario Heritage Act, 1989; and,
 - (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1989.

1996 February 13

13. That City Council reaffirm its decision of 1995 November 28 that Application CD-95-010, Under the Rental Housing Protection Act, 350 Concession Limited, owners, for conversion of 27 rental apartment units for the property located at 350 Concession Street, be Denied for the following reasons:
 - (a) Approval of the application would have an adverse impact on the supply of affordable rental apartment units in the City of Hamilton Zone; and,
 - (b) There is lack of alternative vacant units within the Hamilton Mountain Zone to which existing tenants could relocate.
14. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-03 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1270 Upper James Street.
 - (b) C-04 By-law to amend By-law No. 87-178 Respecting The Barton East #1 Business Improvement Area.

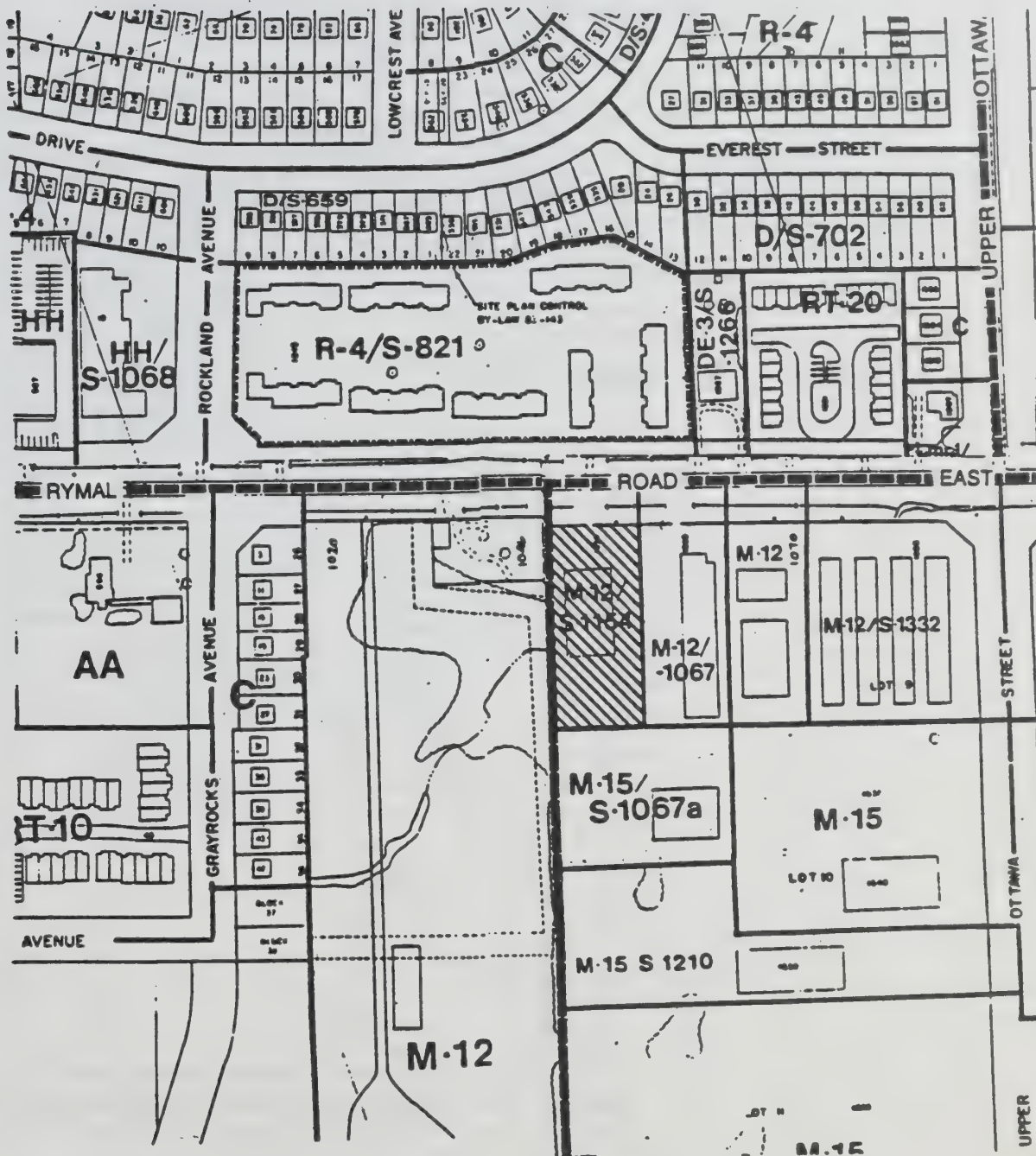
Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 February 7**

1996 February 13

Appendix A as referred to
in Section 1 of the
Second Report of the
Planning and Development
Committee for 1996

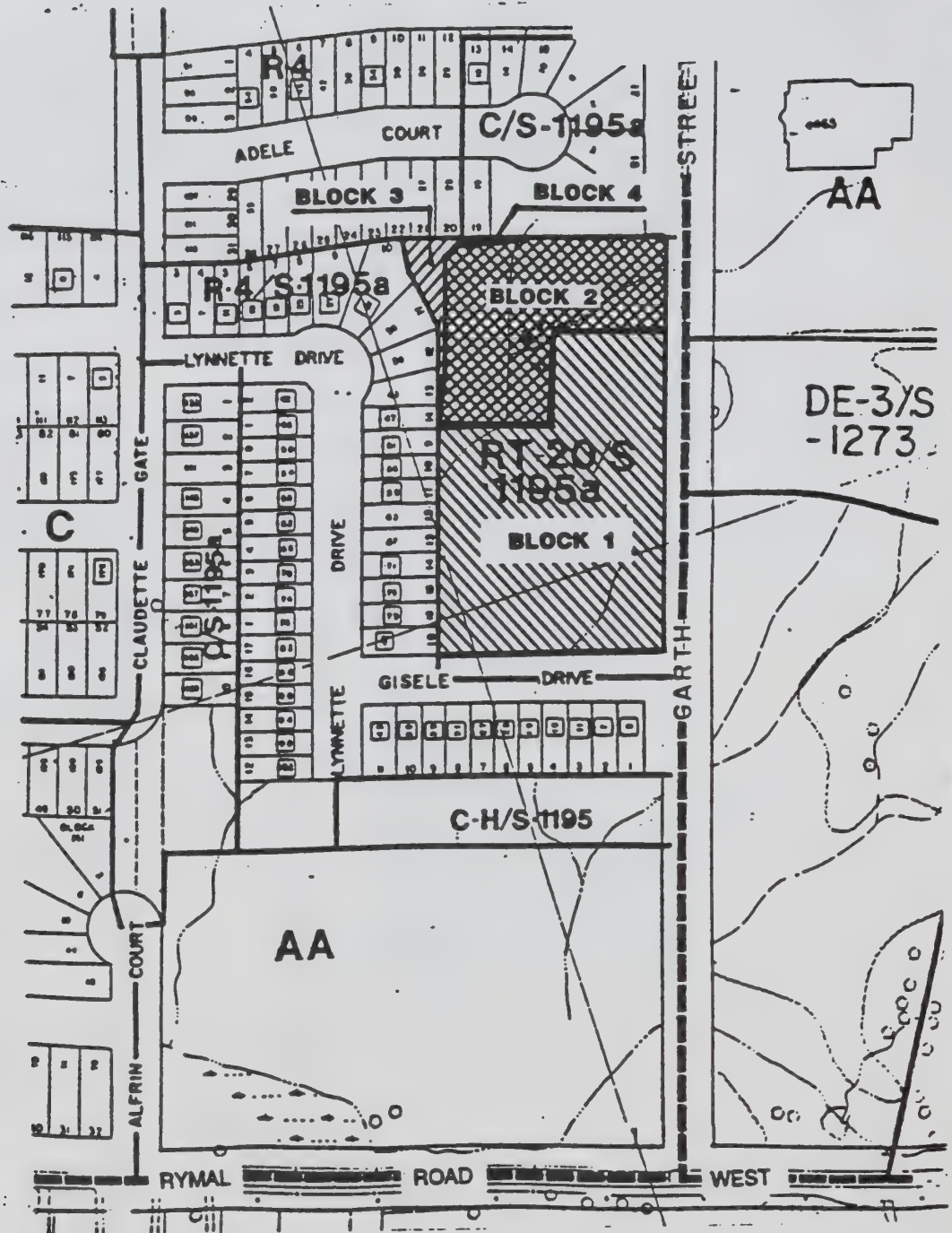


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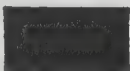
Site of the Application





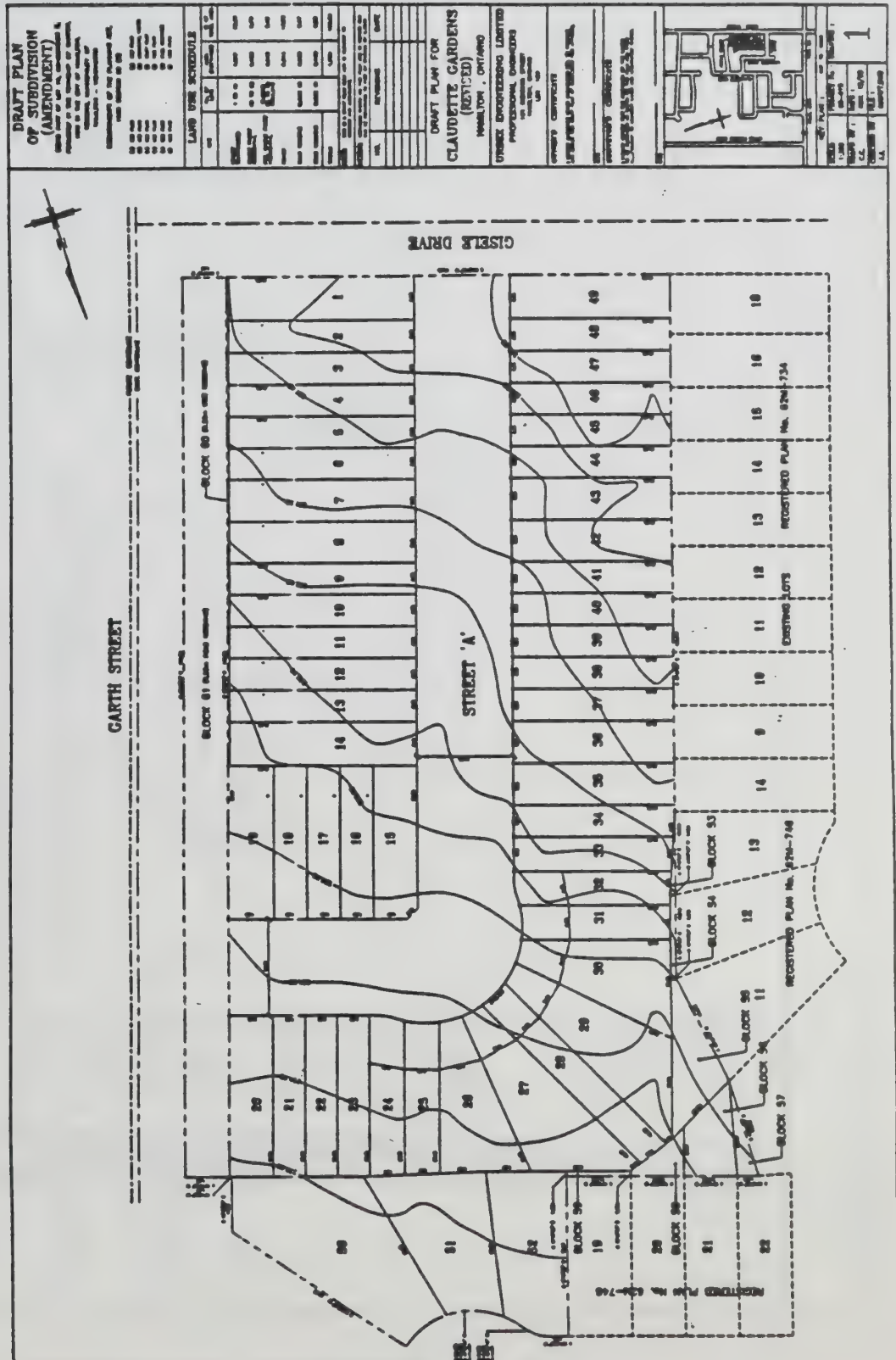
Legend

Proposed change in zoning :

		Further modification to the established "RT-20" (Townhouse - Maisonette) District.
BLOCK 3		From "RT-20" (Townhouse - Maisonette) District modified, to "R-4" (Small Lot Single Family Dwelling) District.
BLOCK 4		From "RT-20" (Townhouse - Maisonette) District modified, to "C" (Urban Protected Residential, etc.) District.

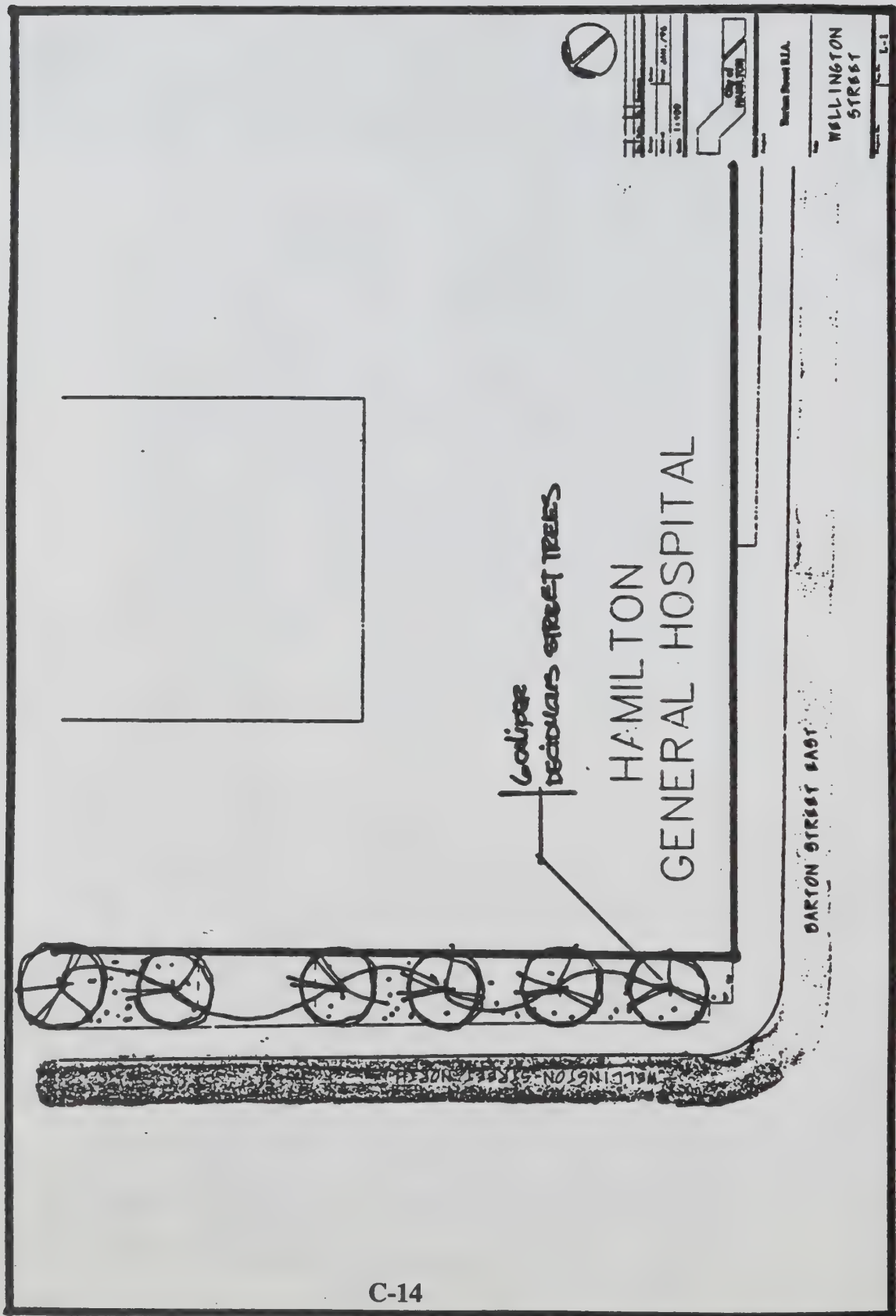
ZAC-85-21

Appendix "C" as referred to in Section 2. A (a) (i) of the Second Report of the Planning and Development Committee for 1996



1996 February 13

Appendix "D" as referred to
in Section 5 of the
Second Report of the
Planning and Development
Committee for 1996



HGH

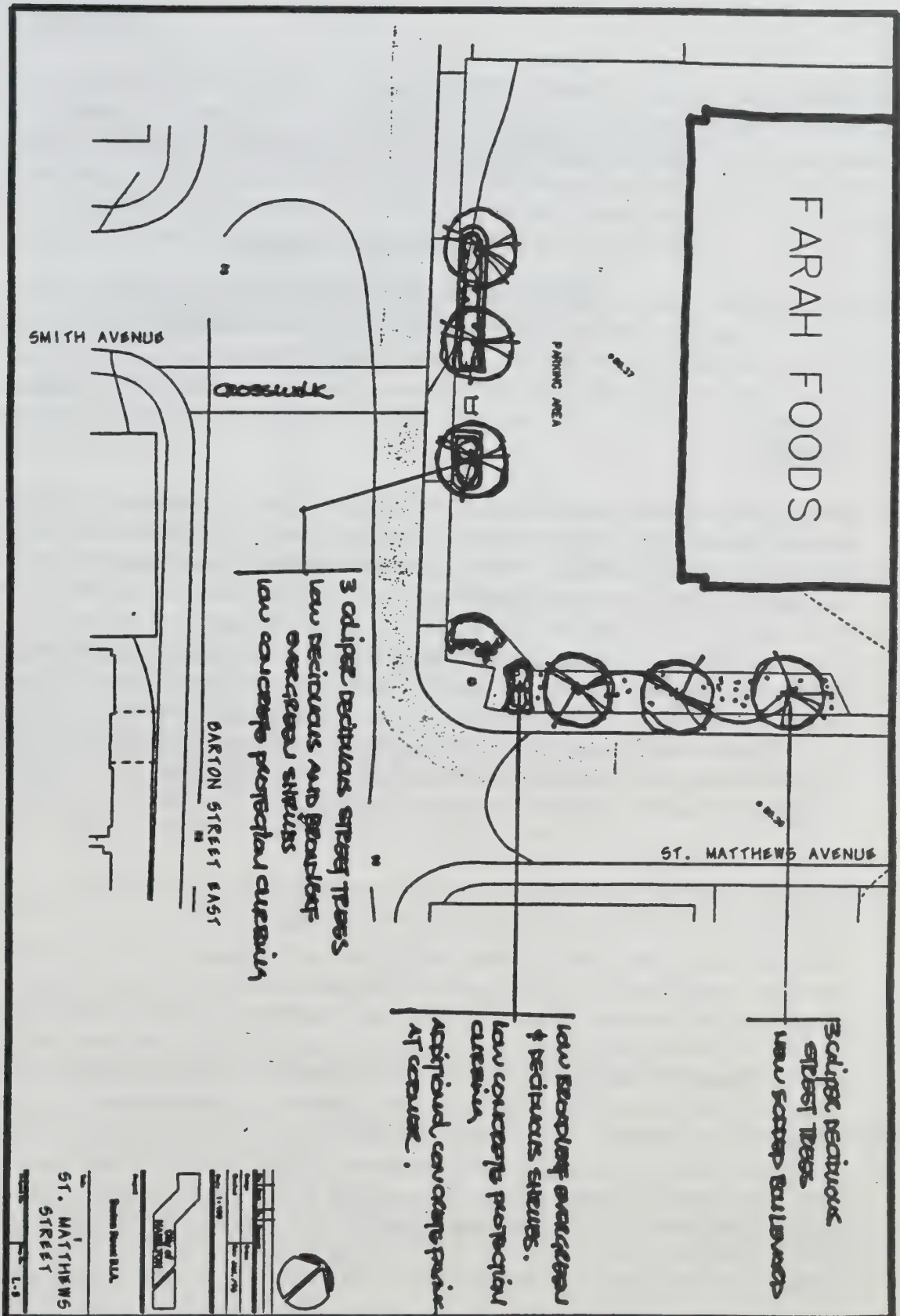
VICTORIA STREET

DARTON STREET EAST

Gas
Stn.

10' Lipper, Reddish Street Tree
low bedmians & broadleaf evergreen shrubs
low concrete protection curbing

City of BIRMINGHAM	
Project No.	11-100
Date	10/1/79
Drawn By	11-100
Check By	11-100
Scale	1" = 10'
VICTORIA STREET	
11-100	



REASONS FOR DESIGNATION

Burlington Canal Lighthouse and Keeper's Dwelling 1159 and 1155 Beach Boulevard Hamilton, Ontario

Context

The lighthouse and adjacent keeper's dwelling, built respectively in 1858 and 1857, are located just south of the Burlington Canal on the strip of land dividing Hamilton Harbour and Lake Ontario. The lighthouse, a *recognized federal heritage building*, marks the entry into the protected waters of the harbour.

Once a prominent landmark on the Beach Strip, the still impressive 55-foot high circular stone structure is now overshadowed by the adjacent steel tower of the vertical lift bridge and elevated roadway to the east and the Skyway Bridge to the west. Gone from its turn-of-the century setting, when the Beach Strip was a popular summer resort, are the Royal Hamilton Yacht Club quarters (1892-1915), the hotels, boardwalk, and the road and railway swing bridges.

History

The lighthouse complex is closely associated with Hamilton's development as a major lake port, which began with the opening of the Burlington Canal in 1832. The first lighthouse and keeper's dwelling, both frame buildings erected in 1837, were destroyed by fire in 1856 and subsequently replaced by the present stone and brick structures. The lighthouse served as an important navigational aid for cargo ships and pleasure craft until 1961 when it was removed from service and superseded by a modern light erected on the new lift bridge. The house, moved a short distance to its present site in the late 1890s, was continuously occupied until 1991 by five successive lightkeepers. The lighthouse and keeper's dwelling are the oldest surviving buildings on the Beach Strip and the only intact structures linked to Hamilton's mid-19th century port function.

Architecture

The lighthouse and keeper's dwelling together constitute one of few extant historic light stations in Ontario. Of the seven surviving lighthouses on the Canadian side of Lake Ontario, only Burlington Canal retains its original lightkeeper's residence. Moreover, relatively few Canadian lighthouses were constructed of stone, most of which predate Confederation. Of eight known examples erected on Lake Ontario, the Burlington Canal lighthouse is now one of only four remaining.

Constructed of squared white limestone blocks laid in regular courses, the lighthouse features slit windows with cut stone sills, a round-arched doorway and a 12-sided iron-framed lantern (dating from 1891 when the original one was replaced). It was erected by the renowned Scottish mason from Thorold, John Brown, the builder of six similar lighthouses on Lake Huron and Georgian Bay, known as "Imperial Towers" and all still standing.

The brick keeper's dwelling, a 1 1/2 storey, side-gabled structure with a three-bay facade and parapet end walls, is similar in form to the stone dwellings built in conjunction with the six Imperial Towers, some of which also have raised parapet walls with built-in end chimneys. A distinctive feature of the Burlington Canal lightkeeper's house is the corbel detail of the raised parapets, which is characteristic of Hamilton's 19th century worker housing. The large window openings are accentuated by cut stone sills and lintels. Minor alterations over the years include the replacement of the original six-paned window sashes with single-paned sashes; replacement of the front door; and the rebuilding of the raised parapets with narrower end chimneys and corresponding loss of decorative brickwork beneath the parapet coping. The front doorway, with its rectangular transom, is now obscured by an enclosed front porch, built in 1945 to replace a full verandah added after 1900.

The stone tower has been preserved virtually intact while the lightkeeper's dwelling has largely retained its original character, despite the changes identified above.

Designated Features

Important to the preservation of the Burlington Canal lighthouse complex are:

1. the stone masonry tower and iron lantern, including the round-arched doorway and tall narrow windows.
2. all four brick masonry facades of the keeper's dwelling, including the parapet end walls, original door and window openings, and stone trim. Excluded are all later additions, including the front porch, and a rear shed and dormer.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. (a) That the City of Hamilton petition the Federal Government to amend the Hamilton Harbour Commissioners Act 1912, as follows:
 - (i) Returning legal title to West Harbour Piers 1, 2, 5, 6, and 7 and the water lot adjacent to Pier 4, and those recreational lands in the vicinity of Burlington Canal to the City of Hamilton.
 - (ii) Allowing the Harbour Commissioners the mandate as a CPA to manage Hamilton Harbour, recognizing Provincial interests in land use regulation.
 - (iii) Acknowledging Pier 8 as a transition area, between shipping and navigation (industrial) and recreational uses.
 - (iv) Increasing City representation on the Hamilton Harbour Commission.
 - (b) That the City of Hamilton and the Federal Government enter an agreement for the beautification of the entrance to the City of Hamilton from the Burlington Skyway Bridge at Eastport/Windemere Basin, to be administered by the Hamilton Harbour Commissioners, the funding of which is to be provided from within the allocation for "Capital Improvements and Major Maintenance" in the 5 Year Capital Budget of the Harbour Commission. (\$3,848,000. in 1996 and \$13,658,000. over the 5 Year Projection); and,
 - (c) That prior to advancing the City's position to the Federal Government, discussions should take place with the Harbour Commissioners and the local MP's to clarify and present if possible, a unified approach.
2. That a Task Force be struck consisting of Mayor Robert M. Morrow, Alderman B. Morelli, the Chairmen of the four Standing Committees and J. Pavelka, Chief Administrative Officer for the purpose of reviewing Corporate reorganization and reporting back with recommendations to the Finance and Administration Committee.

3. That on the condition that the Constituent Assembly first provides the service and representation assumptions being given to their newly hired consultants (KPMG), which will form the basis for the cost analysis, that the Chief Administrative Officer and the City Treasurer provide the requested financial information and authorize the City Treasurer to be interviewed.
4.
 - (a) That the City of Hamilton confirm it claims no interest in a parcel of land known as 1373 Barton Street East, Hamilton (pursuant to development promises made by the 1957 owners to the City) by quit claiming this land to the current owner; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
5. That the listing of Appointments to Permanent Positions with the Corporation of the City of Hamilton to 1996 January 26, attached herewith and marked Appendix A", be approved.
6. That the Food Services Co-Ordinator be classified as Salary Level "L" within the Non-Union Salary Schedule.
7. That a purchase order be issued to Carrier Truck Centre, Brantford, in the amount of \$133,778.96 including trade-in and all applicable taxes, for the replacement of two (2) Dump Trucks Units No.9209 and 9238 for Fleet Services, being the lowest of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
8. That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of \$424,570.80 including all applicable taxes, for the replacement of three (3) Sanders with front plow and wing, Units No. 9548, 9662 and 9663 for Fleet Services, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

9. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:
- | | |
|--------------------|------------------|
| 180 Emerald St. N. | 10 Delaware Ave. |
| 230 James St. N. | 51 Mulberry St. |
| 20 Beland Ave. S. | 27 William St. |
- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
10. (a) That authorization be given to the Property Department to permit Bassai Engineering Limited of Burlington, Ontario and the Faculty of Engineering Science at McMaster University to utilize Rosedale Arena as a subject test project enabling engineering students from McMaster University to complete the theoretical and practical work for their fourth year thesis, consisting of installing infrared sensors to automatically control and monitor the ice plant compressor operation thereby possibly providing economical and environmental benefits; and,
- (b) That the above approval be subject to Bassai Engineering Limited providing liability insurance in a form satisfactory to the City Solicitor.
11. (a) That authorization be given to establish a purchase order with Honeywell Limited of Hamilton for 1996 and 1997 in the amount of \$352,248.28 per year inclusive of GST (\$23,044.28) for maintenance services (Parts & Labour) of the building automation and control systems within various City buildings, this being the only quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-4-95; and,
- (b) That the Mayor and City Clerk be authorized to execute a formal Agreement, prepared by the City Solicitor, between the City and Honeywell Limited; and,
- (c) That the Agreement specify an option for the City to extend the term of the Agreement for two additional periods of three years each, to be brought back to City Council for approval at the appropriate time.

12. (a) That the Council of the Corporation of the City of Hamilton deems the Hamilton Music Scene '96 Festival to be held in Hamilton in conjunction with the Juno Awards on Saturday, 1996 March 9th to be an event of municipal significance; and,
- (b) That the Liquor Licence Board of Ontario be advised, that in order for as many performers as possible to be showcased during this Festival, that City Council has no objection to the following list of licensed venues being allowed to operate for extended hours until 2:00 o'clock a.m.:
- (i) Amigos Hot House - 115 George Street
 - (ii) Babes - 264 Dundurn Street South
 - (iii) La Luna - 228 King Street West
 - (iv) Ivory's - Hess Street
 - (v) Gown & Gavel - 24 Hess Street
 - (vi) Ragin Cajun - 13 Hess Street
 - (vii) Corktown/Chuggies - 175 Young Street
 - (viii) Arnold Centre - Fennell Campus
 - (ix) X Club - John Street
 - (x) Fever - 35 King East
 - (xi) Grapes & Things - 103 King Street East
 - (xii) Lazy Flamingo - 19 Hess Street South
 - (xiii) Connections, Sheraton Hotel - 116 King Street West
 - (ix) The John, McMaster University - Main Street East
 - (xv) Willy Woggs - Upper James Street
 - (xvi) Odeon, Old Odeon Theatre - King Street
- (c) That the Liquor Licence Board of Ontario be further advised that City Council has no objection to an extension of hours until 2:00 o'clock a.m. on Sunday, 1996 March 10th at Connections, The Sheraton Hotel for the Hamilton Music Scene '96 Post Juno Awards Reception.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-7 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 February 6**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Angie Baldassero	I	Print Mail Clerk III (7C)	City Clerk's	Returning to former position Jan. 01/96	\$25,434.24 to \$27,567.28	Jan. 01/96
Ms. Crystabelle Fobler	I	Cemetery Administrative Co-ordinator (O)	Public Works/Traffic	Replacing Ms. K. Morden - lateral move Dec. 11/95	\$34,001.76 to \$39,962.52	Jan. 01/96
Mr. Glen Peace	I	Platoon Chief (C12)	Fire	Replacing Mr. J. Cardwell - promoted Dec. 31/95	\$72,764.50	Dec. 31/95

Prepared January 26, 1996

Status
Internal - I
External - E

1996 February 13

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its SECOND Report for 1996 and respectfully recommends:

1. That the following Members of City Council be appointed to serve on the Committee of Adjustment for a term to expire 1996 December 31.

Alderman _____

Alderman _____

· RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 February 13

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 FEBRUARY 13
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

By-law No. 96-

To Amend By-law No. 94-137
and to Repeal By-law No. 95-204

TO CLOSE A PORTION OF MEAD AVENUE FOR A TEMPORARY PERIOD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of the Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, to establish and layout, widen, alter, diver, stop-up, lease, closed or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the 9th Report of the Transport and Environment Committee on June 28, 1994, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to close for a one year period a portion of Mead Avenue as described therein for the purpose of erecting thereon a vehicular barrier to prohibit vehicular through traffic during the one year period;

AND WHEREAS By-law No. 94-137 was enacted on August 30, 1994 to authorize the said temporary closing of a six foot wide portion of Mead Avenue to vehicular through traffic for one year from September 15, 1994, being the date of registration of the said by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 19 of the 12th Report of the Transport and Environment Committee on October 10, 1995, authorized that By-law No. 94-137 be amended to allow for a two month extension to the one year trial closure of a portion of Mead Avenue as described therein;

AND WHEREAS By-law No. 95-204 was enacted on November 14, 1995 to authorize the said temporary closing of a portion of Mead Avenue to vehicular through traffic for fourteen months from September 15, 1994, being the date of registration of the said By-law No. 94-137;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 27 of the 1st Report of the Transport and Environment Committee on January 30, 1996, authorized that By-law No. 94-137, as amended, be further amended as hereinafter provided;

AND WHEREAS it is now intended to extend the trial period of the said temporary highway closure;

AND WHEREAS it is expedient to repeal By-law No. 95-204 as it is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 95-204 is hereby repealed in its entirety.
2. Paragraph one of section one of By-law No. 94-137 is hereby amended by deleting the phrase, "for a period of one year commencing on September 15, 1994 or the date of registration of this bylaw on title to Mead Avenue, whichever is later" and substituting therefor the following phrase:

"for a period commencing on September 15, 1994 and extending until March 31, 1996."
3. By-law No. 94-137, save as herein amended, is hereby confirmed.

PASSED this day of

A.D. 1996.

CITY CLERK

MAYOR

(1996) 1 R.T.E.C. 27, January 30

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 28 (Taxi Stands) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"East 26th East 80 feet 207 feet north of Queensdale 7:00 am - 6:00 pm
Monday to Friday."

2. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended by deleting from the OUTBOUND Column the following item, namely:-

"Beaverton (N/S) 100 feet west of the centre line of Upper Sherman (M/B)."

and by deleting from the INBOUND Column the following item, namely:-

"Acadia (S/S) 92 feet west of the centre line of Upper Sherman (M/B)."

3. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following items, namely:-

"Dover	South	122 feet	commencing at a point 54 feet west of Greenford	7:00 a.m. - 6:00 p.m. Monday to Saturday
Wildewood	North	201 feet	commencing at a point 65 feet east of Brentwood	7:00 a.m. - 6:00 p.m. Monday to Saturday."

and by deleting therefrom the following items, namely:-

"Owen Place	North	117 feet	commencing at point 75 feet west of Greenford	7:00 a.m. - 6:00 p.m. Monday to Saturday
Dover	South		commencing at a point 94 feet west of Greenford to a point 40 feet westerly therefrom	7:00 a.m. - 6:00 p.m. Monday to Saturday
Wildewood	North	165 feet	commencing at a point 101 feet east of Brentwood	7:00 a.m. - 6:00 p.m. Monday to Saturday."

4. **Schedule 10 (Stops At Intersections)** is hereby amended by adding thereto the following items, namely:-

"Gary	Westbound	Dalewood
Glow	Eastbound and Westbound	Knox."

5. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Wildwood North Brentwood to 65 feet easterly Anytime."

PASSED this _____ day of _____ A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 34 (Sticker Permit Parking) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Picton	North	commencing at a point 115 feet east of Mary and extending to a point 25 feet easterly therefrom	Anytime
Fairfield	West	commencing at a point 243 feet south of Vansitmart and extending to a point 21 feet southerly therefrom	Anytime
Stirton	West	commencing at a point 36 feet north of Cannon and extending to a point 18 feet northerly therefrom	Anytime
Macauley	South	commencing at a point 269 feet west of MacNab and extending to a point 16 feet westerly therefrom	Anytime
Norway	West	Maplewood to the south property line of number 54 Norway	8:00 a.m.- 5:00 p.m. Monday to Friday."

and by deleting therefrom the following item, namely:-

"Norway	West	Maplewood to the south property line of number 54 Norway	Anytime."
---------	------	--	-----------

2. Schedule 26 (No Parking Areas) is hereby amended by adding thereto the following items, namely:-

"Summit	West	Concession to 154 feet northerly	Anytime
Champlain	West & North	Greenford to Catalina	Anytime
Champlain	East	from the extended curb line of Catalina to a point 96 feet northerly therefrom	Anytime
Champlain	South & East	from a point 191 feet north of the extended curb line of Catalina to Greenford	Anytime."

and by deleting therefrom the following items, namely:-

"Summit	West	Concession to 128 ft. north	Anytime
Champlain	South & East	Greenford to Catalina	Anytime
Champlain	Both	Catalina to Greenford	Anytime."

3. Schedule 25 (Parking Time Limits) is hereby amended by adding thereto the following items, namely:-

"Annapolis Both Acadia to Beaverton 1 hr 8 am - 4 pm Mon - Fri."

4. Schedule 9 (Through Highways) is hereby amended by deleting therefrom the following item, namely:-

"Stuart Street, from the westerly limit of Bay Street to Queen Street."

PASSED this

day of

A.D. 1996.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

To Amend By-Law No. 95-155

Respecting:

The construction of Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act, comprised of independent concrete sidewalks on the south side of Rymal Road East from Upper James Street to Springside Drive, as described therein;

WHEREAS By-Law No. 95-155 was passed on the 29th day of August, 1995 to authorize the construction as local improvements, (without petition) on the initiative of the City the above mentioned works;

AND WHEREAS subsequently on October 10, 1995 the City of Hamilton did authorize an increase in the City's share of the cost of the works, (Item 20, 12th Report, Transport & Environment Committee and Item 4, 24th Report, Finance & Administration Committee);

AND WHEREAS it is intended hereby to amend the said By-law to authorize and record the said increase in the City's share of the costs of the works;

AND WHEREAS Ontario Regulation 710/92 (in force as of January 1, 1993) pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts with respect to the costs of the project listed and provided for herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 and that therefore the approval of the Ontario Municipal Board to this by-law is not required;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-Law No. 95-155 is hereby amended by:

- (a) deleting paragraph one thereof and replacing it with the following revised paragraph one:
 1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this By-Law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed \$104,800.
- (b) deleting Schedule "A" thereof and replacing it with the following revised Schedule "A":

SCHEDULE "A"

Construction of an independent concrete sidewalk
on the south side of Rymal Road East from Upper James Street to Springside
Drive at an estimated cost, not exceeding the following:

City's Share	\$ 54,133.30
Abutting Owners' Share	<u>\$ 50,666.70</u>
TOTAL ESTIMATED COST	\$104,800.00

Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$ 115.00
---	-----------

2 By-Law No. 95-155, save as amended herein, is hereby confirmed.

PASSED this day of

A.D. 1996.

CITY CLERK

MAYOR

(1995) 12 R.T.E.C. 20, October 10
(1995) 24 R.F.A.C. 4, October 10

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1270 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands in Blocks 1, 2 and 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(1) of Zoning By-law No. 6593, auto body and fender repair in conjunction with automobile sales and/or rental shall be permitted;
- (b) notwithstanding Section 14A.(3) of Zoning By-law No. 6593, no building or structure, except a fence, shall be permitted within 12.0 m of the westerly lot line of Block "1" and within 30.0 m of the northerly lot line of Block "1";

- (c) notwithstanding Section 18(3)(ivc)(b) of Zoning By-law No. 6593, a landscape planting strip having a minimum width of 6.0 m shall be provided and maintained along the westerly limits of Blocks "1" and "2";
- (d) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly limits of Blocks "1" and "2";
- (e) a minimum 6.0 m wide planting strip shall be provided and maintained along the easterly boundary of Block "3", except for any area used for driveway access; and
- (f) a minimum 3.0 m wide planting strip shall be provided and maintained along the northerly boundary of Blocks "1" and "3", except for any area used for driveway access.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1351.

5. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1351.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

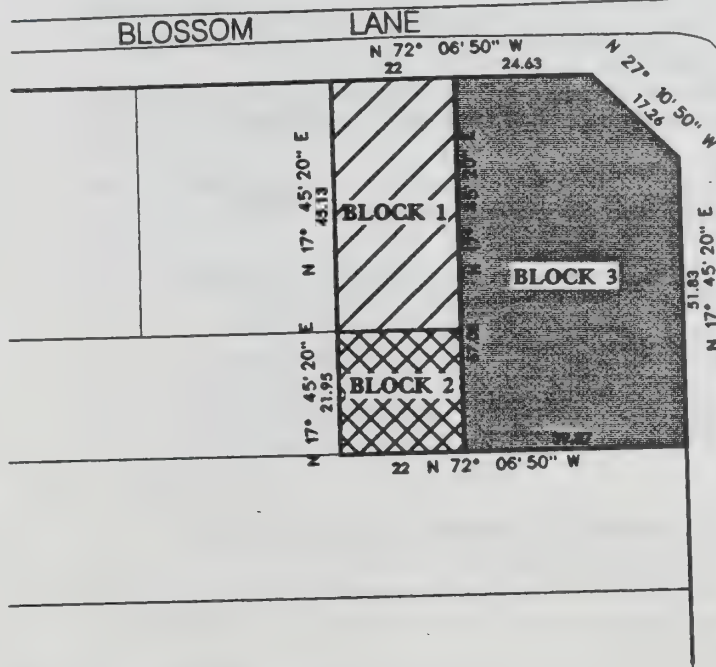
day of

A.D. 1996

CITY CLERK

MAYOR

(1995) 23 R.P.D.C. 5, December 12
Edward Richter, Owner
Amended ZAC-95-25



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-_____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



BLK 1

"C" (Urban Protected Residential, etc.) District to
"HH" (Restricted Community Shopping and
Commercial) District



BLK 2

"AA" (Agricultural) District to "HH" (Restricted
Community Shopping and Commercial) District



BLK 3

Modification to the established "HH" (Restricted
Community Shopping and Commercial) District.

North



Scale
NOT TO SCALE

Date
February 1996

Reference File No.
ZAC-95-25

Drawn By
William Braithwaite

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:
By-law No. No. 87-178

Respecting:

THE BARTON EAST #1 BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 87-178, passed on the 23rd day of June 1987, designated and described the improvement area referred to therein as the "Barton East #1 Business Improvement Area", in accordance with subsections 217(1) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 6 of the 22nd Report of the Planning and Development Committee on the 28th day of November 1995, directed that the Barton General Business Improvement Area boundaries be expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the Barton East #1 Business Improvement Area is commonly referred to as the Barton General Business Improvement Area;

AND WHEREAS the Notice of Intent to expand the existing boundaries of the Business Improvement Area has been circularized to the Business Improvement Area membership and the proposed expansion area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 87-178 is amended by expanding the boundaries, as described in Schedule "A" hereto annexed and as shown on a plan hereto annexed as Schedule "B", each forming part of this by-law, to include the following:

486 Barton Street East

2. In all other respects, By-law No. 87-178 is hereby confirmed, unchanged.

3. This by-law comes into effect on the 1st day of January, 1997.

PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

SCHEDULE "A"
Description of Barton East #1
Business Improvement Area

The land located in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows;

Commencing at the intersection of the northern limit of Barton Street and the western limit of Wellington Street.

Thence northerly along the said western limit of Wellington Street to its intersection with the westerly production of the southern limit of Copeland Avenue as closed by City of Hamilton By-Law 71-101 and 738, registered as Instrument 201532 AB and 84 By-Law, respectively.

Thence to and along the said southern limits of the said Copeland Avenue as closed and its easterly production to a point in the eastern limit of Victoria Avenue.

Thence southerly along the said eastern limit of Victoria Avenue to the north west corner of Lot 2, Registered Plan 33.

Thence easterly along the northern limit of the said Lot 2 and its easterly production to its intersection with the western limit of Lot 29, Registered Plan 33.

Thence southerly along the western limit of said Lot 29 to a point distant eighty point two five feet (80.25') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to the eastern limit of East Avenue.

Thence southerly along the eastern limit of East Avenue to a point distant fifty five feet (55.0') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to its intersection with the western limit of Lot 59, Registered Plan 33.

Thence northerly along the western limit of said Lot 59 to the north west corner thereof.

Thence easterly along the northern limit of said Lot 59 and its easterly production to a point in the eastern limit of Emerald Street, being the western limit of Lot 1, Registered Plan 133.

Thence southerly along the eastern limit of Emerald Street to a point distant ninety feet (90.0') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to a point in the western limit of Lot 4, Registered Plan 133.

Thence northerly along the said western limit of Lot 4 to the north west corner thereof.

Thence easterly along the northern limits of Lot 4, 5 and 6, Registered Plan 133 and the easterly production to its intersection with the eastern limit of Oak Avenue, being the western limit of Lot 1, Registered Plan 260.

Thence northerly along the said western limit of Lot 1 to the north west corner thereof.

Thence easterly along the northern limits of Lots 1, 2, 3, 4, 5 and 6, Registered Plan 260 and the easterly production to a point in the eastern limit of St. Mathews Avenue, being the eastern limit of the said Registered Plan 260.

(cont'd pg 2)

Thence southerly along the east limit of St. Mathews Avenue to a point distant eighty nine point one seven feet (89.17') north of the north limit of Barton Street, being the north west corner of Part 3, Plan 62R-2137.

Thence easterly along the north limit of Parts 3 and 2, Plan 62R-2137 and its easterly production to its intersection with the southerly production of the west limit of an alley running parallel with and east of St. Mathews Avenue.

Thence northerly along said production of the west limit of the said alley four point nine two feet (4.92') more or less to the south limit of an alley.

Thence easterly along the south limit of the alley to a point in the western limit of Cheever Street, being the north east corner of Lot 38, Registered Plan 154.

Thence north easterly to a point in the eastern limit of Cheever Street, being the south west corner of the public alley assumed by City of Hamilton By-Law 3504.

Thence easterly along the south limit of the said public alley and its easterly production to a point in the western limit of Lot 39, Registered Plan 3.

Thence southerly along the western limit of the said Lot 39 to the south west corner thereof.

Thence easterly along the south limit of said Lot 39 and its easterly production to a point in the eastern limit of William Street.

Thence southerly along the eastern limit of William Street to a point distant fifty two point nine two feet (52.92') north of the north limit of Barton Street.

Thence easterly parallel with the north limit of Barton Street to the centre line of Wentworth Street.

Thence southerly along the centre line of Wentworth Street to its intersection with the centre line of Barton Street.

Thence easterly along the centre line of Barton Street to its intersection with the northerly production of the eastern limit of Lot 11, Registered Plan 373.

Thence southerly to and along the east limit of said Lot 11 to the south east corner thereof.

Thence westerly along the south limit of Lots 11, 10, 9, 8, 7, 6, 5, 4 and 3, to a point distant eighteen feet (18.0') west of the south east corner of Lot 3, Registered Plan 373.

Thence northerly parallel with the eastern limit of said Lot 3 a distance of thirty feet (30.0') to a point.

Thence westerly parallel with the south limit of Barton Street to a point in the western limit of Wentworth Street.

Thence southerly along the western limit of Wentworth Street to the south east corner of Lot 6, Registered Plan 194.

Thence westerly along the south limit of Lots 6, 5, 4, 3, 2 and 1, Registered Plan 194 and its westerly production to a point in the western limit of Leeming Street, being a point in the eastern limit of Lot 1, Registrar's Compiled Plan 1409.

(cont'd pg 3)

Page 3
SCHEDULE "A" (cont'd)
Business Improvement Area

Thence southerly along the east limit of said Lot 1 to the south east corner thereof.

Thence westerly along the south limit of Lots 1, 2, 3, 4, 5 and 6, Registrar's Compiled Plan 1409 and its westerly production to a point in the eastern limit of Lot 7, Registered Plan 234.

Thence northerly along the eastern limit of said Lot 7 to the north east corner thereof.

Thence westerly along the northern limit of said Lot 7 to the north east corner thereof, being a point in the eastern limit of Smith Avenue.

Thence southerly along the eastern limit to said Smith Avenue to its intersection with the easterly production of the southern limit of the northerly twenty five feet (25.0') of Lot 9, Registered Plan 234.

Thence westerly parallel with the northern limit of said Lot 9 to a point in the eastern limit of Lot 52, Registered Plan 235.

Thence northerly along the eastern limit of said Lot 52 and the eastern limit of Lot 51 to the north east corner thereof, being the south east corner of Lot 50, Registered Plan 235.

Thence westerly along the south limit of said Lot 50 and the south limit of Lots 49, 48, 47, 2 and 1, Registered Plan 235 and its westerly production to a point in the western limit of Emerald Street, being a point in the east limit of Lot 52, Registered Plan 105.

Thence northerly along the east limit of said Lot 52 to a point distant ninety four feet (94.0') south of south limit of Barton Street.

Thence westerly parallel to the south limit of Barton Street to a point in the west limit of Lot E, Registered Plan 105.

Thence northerly along the western limit of said Lot E to its intersection with the easterly production of the south limit of Lot D, Registered Plan 286.

Thence westerly to and along the south limit of said Lot D and the south limit of Lot C, Registered Plan 286 to the south west corner thereof being a point in the eastern limit of East Avenue.

Thence northerly along the eastern limit of East Avenue to its intersection with the easterly production of the south limit of the northerly seventy one feet (71.0') of Lot 86, Registered Plan 1433.

Thence to and along the last mentioned limit and its westerly production to a point in the eastern limit of Lot B, Registered Plan 286.

Thence southerly along the eastern limit of said Lot B to the south east corner thereof.

Thence westerly along the southern limit of said Lot B to a point distant ninety eight feet (98.0') east of the eastern limit of Victoria Avenue.

Thence northerly parallel with the eastern limit of Victoria Avenue to a point nineteen feet (19.0') south of the south limit of Barton Street.

Thence westerly parallel with the south limit of Barton Street to a point in the eastern limit of Victoria Avenue.

(cont'd pg 4)

Page 4
SCHEDULE "A" (cont'd)
Business Improvement Area

Thence southerly along the eastern limit of Victoria Avenue to its intersection with the easterly production of the south limit of Lot 12, Registered Plan 90.

Thence westerly to and along the south limit of said Lot 12 and the south limit of Lot 11, Registered Plan 90 to a point distant ninety five point five zero feet (95.50') east of the south west corner of said Lot 11.

Thence north parallel with the western limit of said Lot 11 to the north limit thereof, being the south limit of Barton Street.

Thence westerly along the south limit of Barton Street to its intersection with the western limit of West Avenue.

Thence southerly along the western limit of West Avenue to the south east corner of Lot 20, Registered Plan 286.

Thence westerly along the southern limit of said Lot 20, to the south west corner thereof.

Thence northerly along the western limit of said Lot 20 and the western limits of Lots 19 and 18 to a point distant sixty nine point one eight feet (69.18') south of the south limit of Barton Street.

Thence westerly parallel with the south limit of Barton Street fifty feet (50.0') to a point.

Thence northerly parallel with the eastern limit of Wellington Street to a point in the southern limit of Lot 16, Registered Plan 286.

Thence westerly along the southern limit of said Lot 16 and its westerly production to the centre line of Wellington Street.

Thence southerly along the centre line of Wellington Street to its intersection with the easterly production of the southern limit of the northerly ninety four point three feet (94.30') of Lot 162, Registered Plan 287.

Thence westerly parallel with the south limit of Barton Street to a point in the division line between Lots 162 and 161, Registered Plan 287.

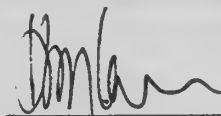
Thence southerly along the last mentioned division line to the south east corner of said Lot 161.

Thence westerly along the southern limit of said Lot 161 and the southern limit of Lots 160 and 159 to the south west corner of Lot 159.

Thence northerly along the western limit of said Lot 159 and its northerly production to a point in the north limit of Barton Street.

Thence easterly along the north limit of Barton Street to the point of commencement.

Dated at Hamilton
February 7, 1996



Kin M. Lau
Ontario Land Surveyor

This is Schedule "A" to By-Law , passed on the day of 1996.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, - (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of

1996, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	180 EMERALD STREET N
	SERIAL NUMBER	03 02165 4780
	BRIEF LEGAL DESCRIPTION	PLAN 235, PT LOT 18
	DATE OF REGISTRATION	DECEMBER 18, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM 223214
	REDEMPTION DATE	DECEMBER 18, 1996
	TOTAL ARREARS	\$4506.73
B)	PROPERTY ADDRESS	10 DELAWARE AVE
	SERIAL NUMBER	03 02420 5900
	BRIEF LEGAL DESCRIPTION	CON 3, PT LOT 10 BTN HAM
	DATE OF REGISTRATION	JANUARY 22, 1996
	INST # OF TAX ARREARS CERTIFICATE	VM 223216
	REDEMPTION DATE	JANUARY 22, 1997
	TOTAL ARREARS	\$14,433.92
C)	PROPERTY ADDRESS	230 JAMES STREET N
	SERIAL NUMBER	02 01550 5390
	BRIEF LEGAL DESCRIPTION	SURVEY J HUGHSON
		PT LOT 15, PT LT 16
	DATE OF REGISTRATION	DECEMBER 18, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM 223217
	REDEMPTION DATE	DECEMBER 18, 1996
	TOTAL ARREARS	\$29,625.88
D)	PROPERTY ADDRESS	51 MULBERRY STREET
	SERIAL NUMBER	02 01260 2850
	BRIEF LEGAL DESCRIPTION	PLAN 39, BLK 10, PT LOT 17
	DATE OF REGISTRATION	DECEMBER 18, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM223219
	REDEMPTION DATE	DECEMBER 18, 1996
	TOTAL ARREARS	\$6,923.25
E)	PROPERTY ADDRESS	20 BELAND AVE S
	SERIAL NUMBER	05 04110 6360
	BRIEF LEGAL DESCRIPTION	PLAN 556, LOT 65 TO 66
	DATE OF REGISTRATION	OCTOBER 31, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM 220408
	REDEMPTION DATE	OCTOBER 31, 1996
	TOTAL ARREARS	\$10,421.68
F)	PROPERTY ADDRESS	27 WILLIAM STREET
	SERIAL NUMBER	03 02180 3280
	BRIEF LEGAL DESCRIPTION	PLAN 3, PT LOT 42
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM 219529
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$8,199.97

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF FEBRUARY A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of February A.D. 1996

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
A31
1996



URBAN MUNICIPAL

FEB 27 1996

1996 February 22

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 February 27
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: The Rev. Hugh Reid
 Ryerson United Church**

- 3. Presentations:**

CERTIFICATE OF APPRECIATION

- (a) Ernest Kennish - donation for park bench**
- (b) John Norris - donation for park sign**
- (c) Paul and Christine Pielchatys - donation for site landscaping**

CERTIFICATE OF RECOGNITION

**Sharon Dale Charters, Municipal Non-Profit (Hamilton)
Housing Corporation/Hamilton Housing Company Limited**

- 4. Adoption of the minutes of the meeting held 1996 February 13.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (b) Parks and Recreation Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
 - (e) City of Hamilton Licensing Committee**
 - (f) Nominating Committee**

Page 2
Council Agenda
1996 February 27

- 7. *Notices of Motion for next meeting.***
- 8. *Question Period.***
- 9. *Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 February 13
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman F. Eisenberger - civic business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 January 30 were adopted as circulated.

PRESENTATION

Mr. Jim Coats, Executive Director of the International Society of Arboriculture Ontario Inc. presented an Arboricultural Award of Merit to the City of Hamilton.

CORRESPONDENCE

1. Letter dated 1996 January 30 from Mayor Walter Mulkewich, City of Burlington Re: City of Burlington Governance Issues. (previously distributed)

Referred to the Finance and Administration Committee.

2. Application dated 1996 February 6 from A. DiSilvestro, 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "DE-3" (Multiple Dwellings) District modified and "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Detached) District for property located at the south-west corner of Upper Wellington and Rymal Road East, Hamilton, Ontario.

Received.

3. Letter dated 1996 February 12 from the Co-Chairs of the Constituent Assembly advising of the Constituent Assembly's financial analysis assumptions.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Wilson, Copps, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 24 Re: Stylized Symbol - Hamilton's 150th Sesquicentennial year

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Merling. -1.

CARRIED.

* * * * *

Section 26 Re: Hamilton District Labour Council - Days of Protest

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting road closures on Saturday, 1996 February 24th.

CARRIED.

* * * * *

Section 26 Re: Hamilton District Labour Council - Days of Protest

It was moved by Alderman Wilson and seconded by Alderman Copps that the following resolution be added as Section 26 of the Third Report for 1996 of the Transport and Environment Committee:

26. That the request of Steve Farkas, agent for the Hamilton and District Labour Council, to temporarily close the following streets on Saturday, 1996 February 24, from 11:30 a.m. to 2:30 p.m.:

Bay Street from Pier 4 Park to Strachan Street,
Strachan Street from Bay Street to James Street North,
James Street North from Strachan Street to Barton Street

be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- (b) That the applicant provide proof of \$3,000,000. public liability insurance naming the City of Hamilton and the Region as an added insured party with a provision for cross liability, and holding the City of Hamilton and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
- (d) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (e) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

FINANCE & ADMINISTRATION COMMITTEE - SECOND REPORT

Section 2 Re: Task Force - Reviewing Corporate reorganization

It was moved by Alderman Caplan and seconded by Alderman McCulloch that Section 2 of the Second Report of the Finance and Administration Committee be referred back with instructions to determine the role of the task force.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch. -3.

NAYS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Collins, Charters,
Jackson, Merling, Anderson, D'Amico, Ross. -13. **LOST.**

* * * * *

Section 10 Re: Bassai Engineering Limited

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 10 of the Second Report for 1996 of the Finance and Administration Committee be amended to delete sub-section (b) and substitute in lieu thereof the following:

- (b) That the authorization referenced in sub-section (a) above be subject to an Agreement satisfactory to the City Solicitor being made between Bassai Engineering Limited and the City of Hamilton and signed Releases being obtained from the three Engineering students participating in the test project, and that the Agreement specify insurance requirements, indemnification of the City, and the maximum duration of the test project; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT
--

Section 2 Re: Use of facilities - Days of Protest

Recorded vote

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Merling. -2. **CARRIED.**

NOMINATING COMMITTEE - SECOND REPORT

(Appoint Members to Committee of Adjustment)

RESOLUTION

Rule No. 9 Re: Use of Dundurn Park and the Bayfront Park for Days of Protest

It was moved by Alderman Anderson and seconded by Alderman Charters that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the use of Dundurn Park and the Bayfront Park.

CARRIED.

* * * * *

Re: Use of Dundurn Park and the Bayfront Park for Days of Protest

It was moved by Alderman Anderson and seconded by Alderman Charters that permission be granted to the organizers of the February 23 and 24 Days of Protest to utilize areas of Dundurn Park and Bayfront Park for parking and marshalling purposes, in accordance with applicable city policies.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 February 13
JJS/dg

CORRESPONDENCE

Correspondence:

1. Application dated 1996 February 13 from Edward Lorne Richter, Ronald Garry Richter, Lowell Elliott Richter for a modification to the "JJ" (Restricted Light Industrial) District for 244 Lake Avenue North, Hamilton, Ontario.

Recommendation:

Be Received.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1.
 - (a) That the City of Hamilton continue its participation in the 1996/1997 International Children's Games to take place in Sopron, Hungary, in the summer of 1996 and in Sparta, Greece, 1997; and,
 - (b) That Section 1 (c) of the Tenth Report of the Parks and Recreation Committee for 1995 adopted by City Council at its meeting held 1995 April 25 be rescinded; and,
 - (c) That the remainder of the surplus funds, \$18,750. still outstanding from the Federal Government, Department of Canadian Heritage, be utilized to offset the cost of the Hamilton Delegation to participate in future International Children's Games; and,
 - (d) That the balance of the surplus stay in an account to assist with the preparation of this City's bid for the Canada 2001 Summer Games; and,
 - (e) That the Volunteer Committee attached hereto as Appendix "A" be approved to coordinate the participating team, travel plans, and assist in the fund-raising efforts to offset team costs; and,
 - (f) That an annual evaluation and detailed financial statement be submitted to the Secretary of the Parks and Recreation Committee.
2. That the park located at No. 95 Carson Drive in Lisgar Neighbourhood be officially named Lisgar Park.

3. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to the original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To-Date	Balance Available	Source of Funding
629549023	Carp Barrier/ Fishway - Landscape Planting	\$75,000.	\$70,533.09	\$ 4,466.91	Federal Department of Fisheries and Oceans

4. That the Mayor and Clerk be authorized to sign an agreement which extends the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority for the remediation of the Red Hill Creek Valley for a term of 1 year to 1997 March 31.
5. (a) That the Commissioner of Public Works and Traffic be authorized to sell surplus flagstone salvaged; and,
- (b) That the revenue from the sale of this flagstone be credited to Account No. CH57200 62128 (Gore Park Maintenance).
6. That blanket purchase orders be issued, for the supply of food stuffs for City Concession operations within the Culture and Recreation Department during 1996 and 1997 to the following vendors, and be financed through various concession operation accounts:
- (a) To Harpers Wholesale, Hamilton, Ontario, not to exceed \$70,000. per year, including all taxes; and,
- (b) To Serca Hickeson, Hamilton, Ontario, not to exceed \$70,000. per year, including all taxes.
7. (a) That approval be given to expend up to \$55,000. of the funds remaining in the Public Art Programme Capital Budget, Centre No. CF709441025, to be used in 1996, for a series of four historically-themed "Sesquiscene" murals at downtown locations (GST inclusive); and,

- (b) That final approval for the four designs chosen by the Selection Committee rest with Council; and,
 - (c) That the Mayor and Clerk be authorized to execute contracts satisfactory in form and substance to the City Solicitor between the City and the affected property owners and between the City and the four winning artists.
8. That the following Deposit Policy be adopted for Culture and Recreation Special Events and long term rental contracts within City owned and operated facilities:
- (a) That, upon execution of an agreement to use a City owned and operated facility the applicant may be required, at the discretion of the Director of Culture and Recreation, to deposit in cash, or by certified cheque an amount equal to not less than 25% of the total rental fee (including building, floor and staff charges); and,
 - (b) That, upon cancellation not less than 60 days prior to the event, the City agree to return all funds remitted as a deposit as per this Recommendation; and,
 - (c) That, payment in full be required to be remitted by the applicant not less than 4 weeks prior to said event taking place, failing which, said event will be deemed to have been cancelled and the deposit and time reserved forfeited to the City; and,
 - (d) That, in the event, for any reason, the Department of Culture and Recreation of the Corporation of the City of Hamilton, is unwilling to permit the use of the said facility/arena, the Department of Culture and Recreation of the Corporation of the City of Hamilton, shall have the right to cancel such use at any time and order the arena to be closed to all spectators and users and/or such an event, and neither the Department of Culture and Recreation nor the Corporation of the City of Hamilton shall be required to do more than refund the applicant any fee which the applicant has paid; and,
 - (e) That, in the event it is necessary, or given that there is insufficient time, approval be granted to the Director of Culture and Recreation to waive the necessary time requirements and report said actions to the Parks and Recreation Committee wherever possible prior to said event occurring; and,

- (f) That, as set out above, in the event a special event is booked within the specified time frame, said event be subject to payment in full upon execution of an agreement to lease, and, in the event of cancellation all monies will be forfeited to the City; and,
 - (g) That, this Policy not include those groups allocated ice through the Culture and Recreation Department.
9. That the Planting and Plantation Management Proposal for Red Hill Creek Valley dated 1995 November 10, attached hereto as Appendix "B" be approved for implementation.
10. (a) That the development of an interconnecting multi-use pathway extending from the Mount Albion parking area to Mud Street be endorsed such that the proposed pathway component may proceed to an open house meeting to receive public input to finalize the plans; and,
- (b) That staff be authorized to proceed with an application to the Waterfront Regeneration Trust to secure Provincial funding for the pathway construction; and,
- (c) That staff be authorized to submit applications to the various agencies which have jurisdiction over the proposed pathway alignment; and,
- (d) That staff be authorized and directed to negotiate the terms and conditions of easements to construct portions of the pathway on Hamilton Board of Education and Ontario Hydro lands; and,
- (e) That staff from the Law Department and Property Department assist in preparation of the necessary agreements between the City and affected land owners; and,
- (f) That staff report back to the Parks and Recreation Committee on the above items.
11. (a) That for the purpose of having a point of reference from which existing guidelines and procedures may be measured or amended, the following Mission Statement be adopted for the Hamilton Beautification Awards Program:

"To promote and encourage community pride through the recognition of excellence in landscape design, maintenance and effort by land owners to beautify their property and hence make a positive contribution to the City"; and,

- (b) That the procedure and stakeholder responsibilities as outlined in Appendix "C" attached here to dated January 1996 be adopted; and,
 - (c) That staff be authorized to finalize arrangements for presentation of awards, exclusive of the White Trillium, at the September meeting of City Council.
 - (d) That the Commissioner of Public Works and Traffic be directed to notify all 1995 Trillium Award winners in writing of the changes to the Hamilton Beautification Awards Program procedures.
12. (a) That the City of Burlington be authorized to manage and administer the funds received from the subscribing companies of property insurance for the restoration of the LaSalle Park Pavilion subject to Burlington providing the City of Hamilton with an Engineering Certificate verifying that each segment of construction has been completed satisfactorily prior to the insurance draws being advanced to Burlington; and,
- (b) That the City of Hamilton, as Landlord of LaSalle Park, grant conditional approval to the City of Burlington, as Tenant, to permit the following "major capital improvements" to the Pavilion which are to occur contemporaneously with the fire reconstruction: dance hall on second level, food service operation on main level, amenity betterments and various landscape improvements to compliment the refurbished Pavilion, in the amount of \$655,000. subject to the City of Burlington:
- (i) agreeing that Hamilton shall not be obligated to pay any undepreciated capital improvement costs of the major capital improvements proposed, in the event the lease is terminated after 40 years without renewal or ends after any renewal period, or in the event the lease is terminated, cancelled or ends, as recited in Paragraph 24 of the Lease; and,
 - (ii) executing an agreement to amend the existing Lease and subsequent amending agreement incorporating these approvals and conditions including:

- (aa) amending the Tenant's use covenants to incorporate the greater variety of uses contemplated by the additional capital works; and,
 - (bb) amending the insurance coverage covenants to reflect the City of Hamilton insurance requirements in respect of like uses; and,
 - (iii) providing the detailed plans and drawings of the restoration of the Pavilion; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute an agreement to amend the Lease of LaSalle Park incorporating these approvals and conditions.
13. That authority be given to the City Solicitor, the Director of Property and Director of Culture and Recreation to meet with parties interested in assuming operational responsibilities for Barton and Normanhurst Community Centres.
14. (a) That Commonwealth Square is not an appropriate location for the Crystal Palace Project in conjunction with the Art Gallery, predominantly because of the Art Gallery's option to expand on Commonwealth Square; and,
- (b) That the New Crystal Palace Sub-Committee pursue other locations for the home of the Crystal Palace including but not limited to:
- the West Hamilton Harbourfront Precinct
 - the Hamilton Downtown Core such as west side of City Hall plaza or the north east corner of King Street and James Street
 - Gage Park

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 February 20

Appendix "A" as referred to
in Section 1 of the Third Report
of the Parks and Recreation
Committee for 1996

1996/97 INTERNATIONAL CHILDREN'S GAMES DELEGATION COMMITTEE

CHAIRPERSON:	JOHN KIRIAKOPOULOS
VICE-CHAIRPERSON:	EDWARD C. DUNN
SECRETARY:	JOANNE McBRIDE
TREASURER:	PHIL SARESKY
MEMBER:	JOEL HALL
NON VOTING:	BILL McCAUGHEY
NON VOTING:	BILL URIE
NON VOTING:	LESLIE BARDOSSY
NON VOTING:	GREG MAYCHAK

HAMILTON REGION CONSERVATION AUTHORITY

Red Hill Creek Remediation Planting and Plantation Management Proposal

BACKGROUND

Proposed areas for planting as well as plantations recommended for management are shown on the display map available at the August 23 meeting. There are 10 planting areas totalling about 4.6 hectares, and 7 plantations totalling about 7.5 hectares.

Planting sites were selected based on ecological and practical criteria outlined in a previous memorandum to the Red Hill Environmental Projects Advisory Committee. In general, high priority sites were large, adjacent to existing natural areas, had little natural regeneration going on, had the potential to harbour rare species and would help separate uses of the valley such as golfing and hiking. Lower priority sites were separated from existing natural areas and were smaller but had other problems (e.g. erosion).

All pine and spruce plantations were assessed by staff and mapped. Consultation with the Ontario Ministry of Natural Resources, Niagara Escarpment Commission, Red Hill biological inventory crew and Red Hill archaeological survey staff has taken place. MNR forestry staff have provided helpful advice on recommended silvicultural practices and have shown staff some of the managed plantations that are similar to those in the Red Hill Valley.

SUGGESTED APPROACHES TO MANAGEMENT

a) Planting Sites

1. Tree and shrub species to be planted will match the surrounding existing forest. There will be 6 - 8 species per site with a random or clumped type of planting but based on an overall average of tree spacing at 2.5 x 2.5 metres; with shrubs interspersed but at about 10% of the tree density. At some sites with suitable conditions, about 5% of trees and shrubs will be Carolinian species which are native to the area. The planting sizes and pattern should produce some immediate effect as well as result in long-term naturalization.

Trees include Red Oak, Bur Oak, Chinquapin Oak*, White Oak, Green Ash, White Ash, Red Maple, Sugar Maple, Serviceberry, Black Walnut, Basswood, Black Cherry, White Pine, Staghorn Sumac, Sassafras*, Tulip Tree*, Flowering Dogwood*, Sweet Chestnut*, Red Mulberry*, Witch-hazel*, Wild Crab*.

Shrubs include Nannyberry, Grey Dogwood, Alternate-leaf Dogwood, Ninebark, Spicebush*, American Elder, Chokecherry, Purple-flowering Raspberry.

(Note: * indicates a Carolinian species.)

Planting costs include supplying the trees and shrubs, planting, mulching, protection with a plastic spiral tree guard and watering. An additional watering during summer in case of drought is included in the contingency.

2. Sites #5 and 6 are adjacent to the golf course and parallel to the proposed trail. To more effectively screen these two uses, staff suggest that 75 existing trees be moved by tree spade from one site to the other along the edge of the golf course in the rough. This will not lessen the screen effect at the one site which has substantially more trees and will add to the more open site.
3. Site #3 has several large piles of compost and soil. Staff suggest that this material be spread evenly over the site and some be taken and spread at an area of very poor soil in Site #4 approximately 300 metres south. Planting will follow.
4. Staff suggest a small Carolinian arboretum along the proposed trail to the north of the escarpment forests (Sites 5 and 6). This arboretum could be created by planting small clumps of large caliper trees including Tulip Tree, Kentucky Coffee Tree, Blue Ash, Honey Locust, Big Shellbark Hickory, Mockernut Hickory, Pignut Hickory, Sassafras, Flowering Dogwood, Tulip Tree and Sweet Chestnut as available.

b) Plantation Management

As recommended at the last Advisory Committee meeting, staff will have the plantations marked by a Registered Professional Forester (RPF) with a management approach of a thinning to 23 square metres per hectare basal area using patch cuts whose diameters are one-half the average tree height. The marked trees will then be advertised for sale and bids sought based on a terms of reference developed by staff. MNR has provided staff with a list of sawmills in the Golden Horseshoe area.

If a suitable bid is received, a contract will be let for January or February and a City staff person will supervise while cutting is going on to ensure that only marked trees are cut. If no suitable bid is received, staff will advertise the same tree cutting as a cutting contract and will solicit bids for the work. City of Hamilton, Horticulture Section has estimated this work using their crews at \$30,000. This estimate is included in the contingency below.

Staff recommend that plantations F and G not be managed at this time since Cooper's Hawk (a provincially significant species) nested in F this spring. The Ontario Ministry of Natural Resources recommends no cutting close to the nest site (i.e. plantations F and G).

PRIORITIES

Staff have suggested a priority listing for planting and plantation management in case funding from the Province of Ontario is reduced. Staff recommend first that both planting and plantation management have a lower priority than trail development and some additional cleanup. The rationale is that without planting, open areas will eventually grow up to forest, although this will take much longer, and that plantations at least provide existing forest cover even though of a non-natural or non-native sort. Trails and cleanup will not be done without funding.

The rationale for the order for planting and plantation management is based on these reasons:

- a) Higher priority is given to planting trees and shrubs rather than plantation management since plantations are at least treed while open areas in to be planted are not. Plantations within the Valley proper are given higher priority than plantations outside the Valley proper.
- b) Planting areas are given higher priority if when planted they fulfil ecological conditions such as making forest blocks larger or providing wildlife corridors. Isolated planting areas are given lower priority.
- c) Planting areas that provide buffers to screen possibly conflicting uses are given a higher priority than isolated planting areas that do not fulfil this condition.

Priority list suggested:

- 1. Planting site #2
- 2. Planting site #1
- 3. Planting site #9
- 4. Planting site #10
- 5. Moving compost piles (Sites #3 and 4)
- 6. Planting site #3
- 7. Planting site #4
- 8. Tree spade work at sites #5 and 6
- 9. Carolinian planting at Sites #5 and 6
- 10. Planting site #7
- 11. Planting site #8

- 12. Plantations D and E
- 13. Plantations A, B and C

COSTS**i) Planting**

Costs have been estimated by the City of Hamilton, Horticulture Section based on the following:

Site #1 planting (2045 trees, 800 shrubs, 80 large caliper trees)	\$88,764
Site #2 planting (5670 trees, 200 shrubs, 12 large caliper trees)	122,166
Site #3 planting (726 trees)	14,520
Site #4 planting (904 trees)	18,080
Site #5 and 6 (100 Carolinian trees)	40,000
Site #7 (148 trees)	2,960
Site #8 (442 trees)	8,840
Site #9 (282 trees, 10 large caliper trees)	9,740
Site #10 (178 trees, 10 large caliper trees)	7,660
Compost spreading through sites 3 and 4	7,380
Tree spade work at Sites 5 and 6 (Note that \$3,000 additional cost in case of sand or gravel is included in contingency)	3,000
Subtotal for planting	\$323,110
Contingency (10% for extra watering of planted stock and extra cost for tree spade work)	32,311

ii) Plantation Management

Marking by RPF	\$2,000
Advertisement	300
Supervision of cutting (40 hours x \$37 per hour)	1,480
Subtotal for plantations	\$3,780
Contingency (if cutting must be contracted)	30,000
TOTAL	\$389,201

Appendix "C" as referred to in
Section 11 of the Third Report
of the Parks and Recreation
Committee for 1996

Procedure and Stakeholder Responsibilities for the Hamilton Beautification Awards Program

The following procedures for recognition of award winning properties is based on the principle of shared ownership of the various award categories by the City of Hamilton, its Corporate Partners and Citizen Volunteers. The program will be named the Hamilton Beautification Awards Program and will be symbolized by a trillium in its various natural colours.

Procedure for White Trillium/Staff-Volunteer Responsibilities

- City to be divided into zones of more or less equal size and number 118 changes in zone boundaries or consolidation of zones may be considered by the Beautification Volunteer Committee as circumstances dictate.
- number of judges assigned to each zone not to exceed 2; judges not permitted to reside in the zone being judged and same zone not to be assigned in consecutive years.
- judges to use the score card designed for the program and personally issue white trilliums themselves. The number of trilliums per zone will be restricted to 2 and judging to be completed during July.
- judges to submit packages to City Hall as soon as field work is complete and no later than August 1. Package to include completed score cards for all properties considered, names and addresses of 2 properties awarded white trilliums and recommendation on which of the 2 winning properties to be considered for a pink trillium.
- returned packages to be sorted by City staff and list of addresses recommended for consideration of a Pink Trillium turned over to a new team of judges.
- decision of the judges is final with questions/concerns referred to a volunteer committee for follow-up.

Procedure for Pink Trillium/Staff-Volunteer Responsibilities

- properties eligible for pink trilliums to be grouped into 8 large zones having boundaries corresponding more or less to existing ward boundaries.
- number of judges assigned to each zone is 3; guidelines regarding place of residence and year to year involvement same as white trillium.
- judges will have access to score card and notes for candidate properties as prepared in the field by nominating judges. The number of Pink Trilliums awarded in each of the 8 zones is limited to 1.
- judging to be completed by August 15 and packages returned to the City by this date. Trilliums are not awarded by judges, only the address and name of awarding winning property is included in the returned package.

Procedure for Red Trillium (New Category)/Staff-Volunteer Responsibilities

- A select panel of 5 judges are provided information on the 8 properties awarded pink trilliums. These are judged over the last 2 weeks of August and from this list one property is selected to receive the special "Award of Excellence".
- The Beautification Volunteer Committee to select panel members.

Commercial Utility Award

- judges involved in the selection of white trillium awards to nominate commercial/utility properties within each of their assigned zones and submit candidate sites for consideration by a team of judges formed to deal specifically with this category. Judging to be complete by August 30 with only one property selected from all nominated sites.

Corporate Partners Responsibilities

- Financial support for the purchase of awards in all categories. This amount is set at \$1,000 annually from each partner and may not be adjusted without unanimous consent of all participating agencies. Any surplus to be carried over to the next fiscal year. For 1996, participating sponsors include: The Spectator, Union Gas, Dofasco, Metropolitan Hamilton Real Estate Board, Landscape Ontario.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. A. That approval be given to City Initiative 94-H, for changes and modifications to Zoning By-law No. 6593, for lands within the City of Hamilton that are proposed to be removed from the Development Control regulations under the Niagara Escarpment Planning and Development Act, as shown on the attached maps marked as APPENDICES "A" to "H", on the following basis:
 - (a) That Blocks "1", "2" and "3", as shown on the attached maps marked as APPENDICES "A" and "B", be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Agriculture) District;
 - (b) That the "A" (Conservation, Open Space, Park and Recreation, etc.) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to Blocks 4, 5, and 6, as shown on the attached maps marked as APPENDICES "C", "D", and "E", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and
 - (ii) notwithstanding Section 7.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
 - (c) That the "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to Blocks "7" and "8", as shown on the attached maps marked as APPENDICES "F" and "G", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and

- (ii) notwithstanding Section 7A.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
- (d) That the "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "9", as shown on the attached map marked as APPENDIX "H", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and
 - (ii) notwithstanding Section 8.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
- (e) That the "B-1" (Suburban Agriculture and Residential, etc) provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block "10", as shown on the attached map marked as APPENDIX "H", be modified to include the following variance as a special requirement:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height.
- (f) That the "B-2" (Suburban Residential, etc.) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to Block "2", as shown on the attached map marked as APPENDIX "A", be modified to include the following variance as a special requirement:
 - (i) notwithstanding Section 8B.(4) of By-law No. 6593, the minimum lot area shall not be less than 491 m².
- (g) That the "B-2" (Suburban Residential, etc.) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to Blocks "1" and "3", as shown on the attached maps marked as APPENDICES "A" and "B", be modified to include the following variance as a special requirement:
 - (i) for the purposes of this by-law, the rear lot line shall be defined as the "toe-of-slope".

- (h) That the amending By-law be added to Section 19B of Zoning by-law No. 6593 as Section S-1353, and the subject lands on Zoning District Maps No. E-66, E-67, E-15, E-35, E-46, E-69, E-69a, E-69b, E-79a, E-79b, W-36, W-6, W-7 and W-15 be notated S-1353;
 - (i) That the Director of Planning and Development be directed to prepare a By-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Maps No. E-66, E-67, E-15, E-35, E-46, E-69, E-69a, E-69b, E-79a, E-79b, W-36, W-6, W-7 and W-15 for presentation to City Council; and,
 - (j) That the proposed changes and modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the City Clerk be requested to advise the Niagara Escarpment Commission that the City of Hamilton has no objection to placing the lands of the Red Hill Creek Valley between Greenhill Avenue and the CP Railway track, as shown on the attached map marked as APPENDIX "I", under "Development Control".
2. That approval be given to City Initiative 96-B respecting the elimination of required parking to encourage the conversion of non-residential floor space to residential uses within the CBD, on the following basis:

That Section Nineteen - Residential Conversion Requirements of Zoning By-law No. 6593 be amended by adding a new Section 19.(4) as follows:

19.(4) Notwithstanding any other provisions of this By-law, any building or portion thereof existing on the date of the passing of this by-law, located within Area "A" shown on Schedule "I" of Section 18A, may be converted to a residential use except for a Residential Care Facility or Short-Term Care Facility, provided that the ground floor is maintained for commercial use.

3. (a) That approval be given to Application SE-95-001 under the Rental Housing Protection Act, Mary Jazvac, owner, to sever the land, which contains a two-family dwelling and a twelve (12) unit apartment building into separate parcels, for the property located at 297-301 Mary Street, subject to the following conditions:

That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.

- (b) That upon satisfaction of the above noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

4. That Zoning Application ZAC-95-32, Peter Hatzoglou, Peter and John Zourntos, Aiden Tuite and Philip Mancini, owners, requesting an Official Plan amendment to delete Special Policy Area 46, and a change in zoning from "G-4" (Designed Neighbourhood Shopping Centre) District modified, to "HH" (Restricted Community Shopping and Commercial) District, in an established commercial plaza, for property located at 30 Rymal Road East, as shown on the attached map marked as APPENDIX "J", be **DENIED** for the following reasons:
 - (a) It conflicts with the intent of the Official Plan and the approved Allison Neighbourhood Plan;
 - (b) It conflicts with intent of By-law No. 89-246 which rezoned the subject lands to "G-4" (Designed Neighbourhood Shopping Centre) District, modified which specifically limits the commercial uses to those only of a neighbourhood nature and prohibits high traffic generators;
 - (c) It conflicts with established Council policy not to support high traffic generating type uses on this site, and the applicant has not submitted any additional or new information to justify changes to the established policy; and,
 - (d) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and zoning by-law.
5. (a) That with respect to Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, for property located at 85 Robinson Street (Ontario Municipal Board File Nos. C940123, C940124, Z940041), City Council direct the City Clerk:
 - (i) to forward the executed Minutes of Settlement, hereto as APPENDIX "K" dated 1996 January 19 signed by the Durand Neighbourhood Association, Latco (1986) Developments Limited and the Corporation of the City of Hamilton, to the Ontario Municipal Board; and,
 - (ii) to forward the implementing zoning by-law hereto as APPENDIX "L" to the Ontario Municipal Board;
- (b) That Council reserve the right to review and comment on the merits of any future severance application(s) on the subject lands and that the Ontario Municipal Board should be so advised by the City Clerk.
6. That approval be given to Site Plan Control Application DA-95-34, by White Chapel Memorial Gardens, owners of the lands at 1895 Main Street West as shown on the attached map marked as APPENDIX "M", for construction of additional columbarium niches, and that the owner not be required to enter into the Site Plan Control Agreement nor provide securities for the project, and that notice of the decision be published in accordance with the requirements of the Cemeteries Act.

1996 February 27

7. (a) That the Chairperson of the Planning and Development Committee or his designate be authorized to attend the 1996 APA National Planning Conference, April 13-17, Orlando; and,

(b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1996 Operating Budget.
8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-05 A By-law to amend Zoning By-Law No. 6593 Respecting Definition of "Sign, Public Notice".
 - (b) C-06 A By-law to amend Zoning By-Law No. 6593 Respecting Land Located at Municipal No. 371 Rymal Road East.
 - (c) C-07 A By-law to amend Zoning By-Law No. 6593 as ammended by Zoning By-laws No. 86-201, 90-227 and 92-160 Respecting Land Located at Municipal No. 1492 Upper James Street.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 February 21**



City of Hamilton

Appendix 'A'

Planning and Development Department

Legend

BLOCK 1



BLOCK 2



Change in zoning from:

"A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.

"A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.

North



Scale

Not to Scale

Date

JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By

Z.K.



City of Hamilton

Appendix 'B'

Planning and Development Department

Legend

Change in zoning from:

BLOCK 3



"A" (Conservation, Open Space,
Park and Recreation, etc.) District
to "B-2" (Suburban Residential)
District, modified.

North



Scale

Not to Scale

Date

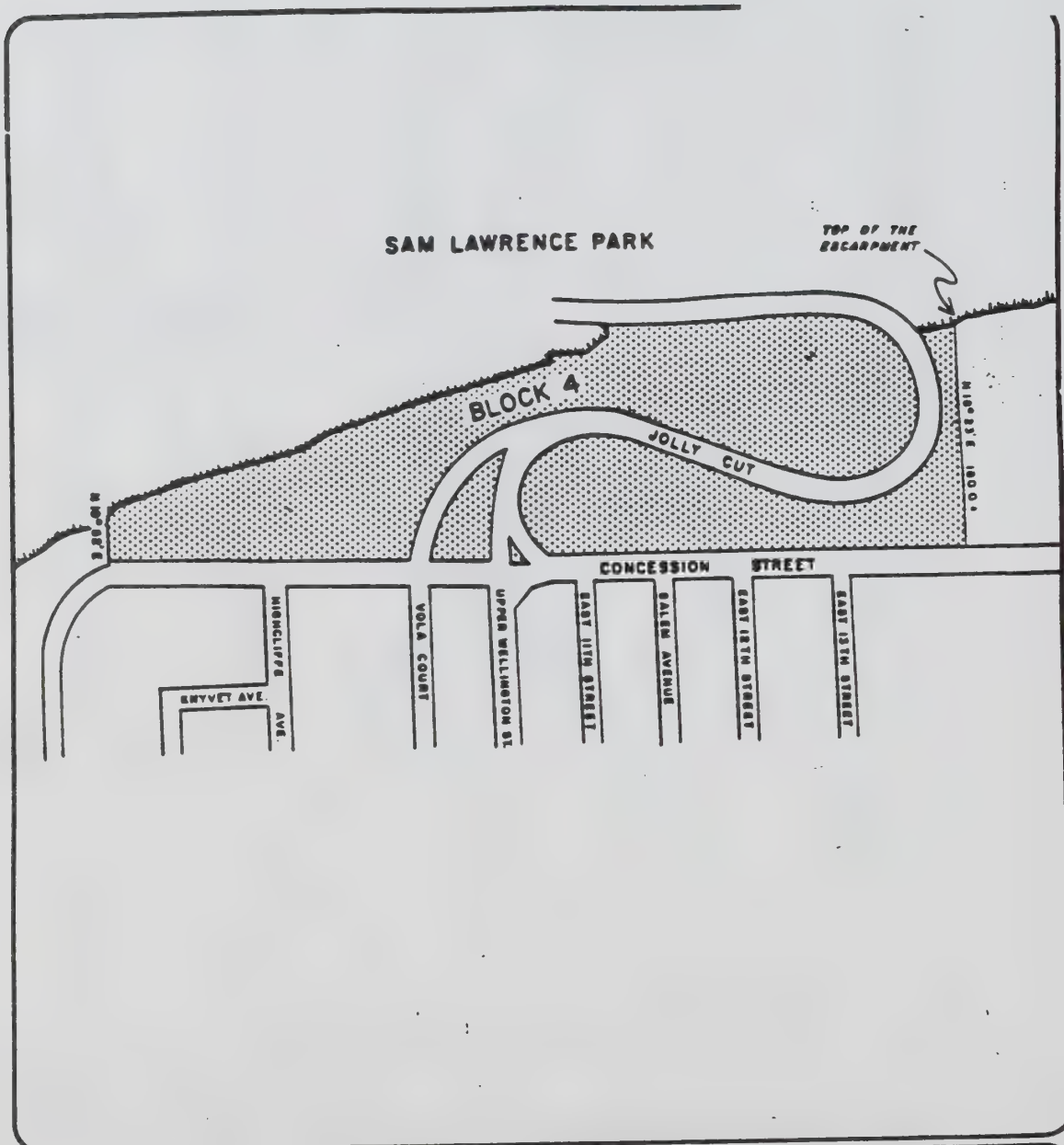
JANUARY 1996

Reference File No

C.I. 94-H

Drawn By

Z.K.



City of Hamilton

Appendix 'C'

Planning and Development Department

Legend

BLOCK 4



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North

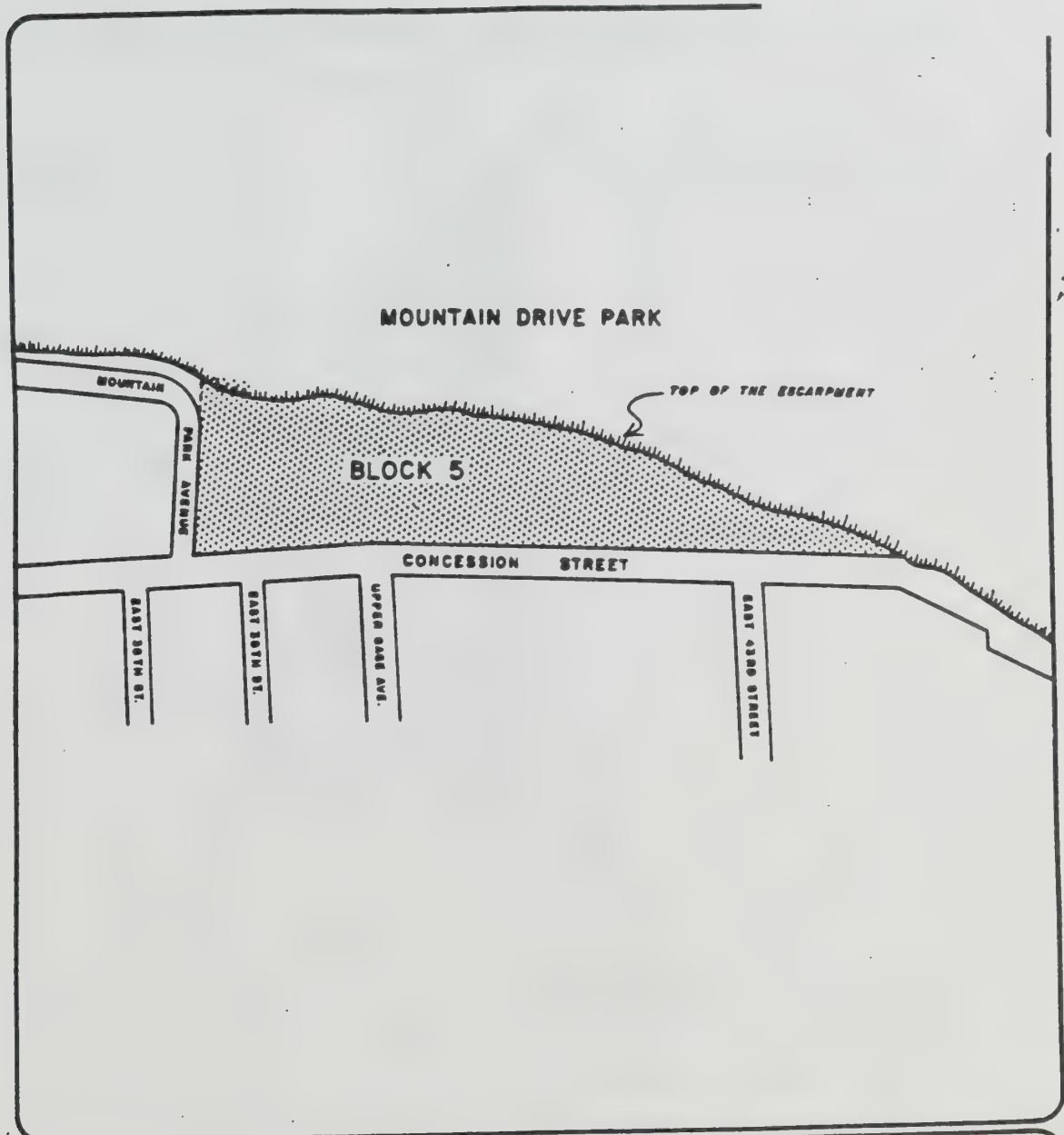


Scale
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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.



City of Hamilton

Appendix 'D'

Planning and Development Department

Legend

BLOCK 5



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North



Scale
Not to Scale

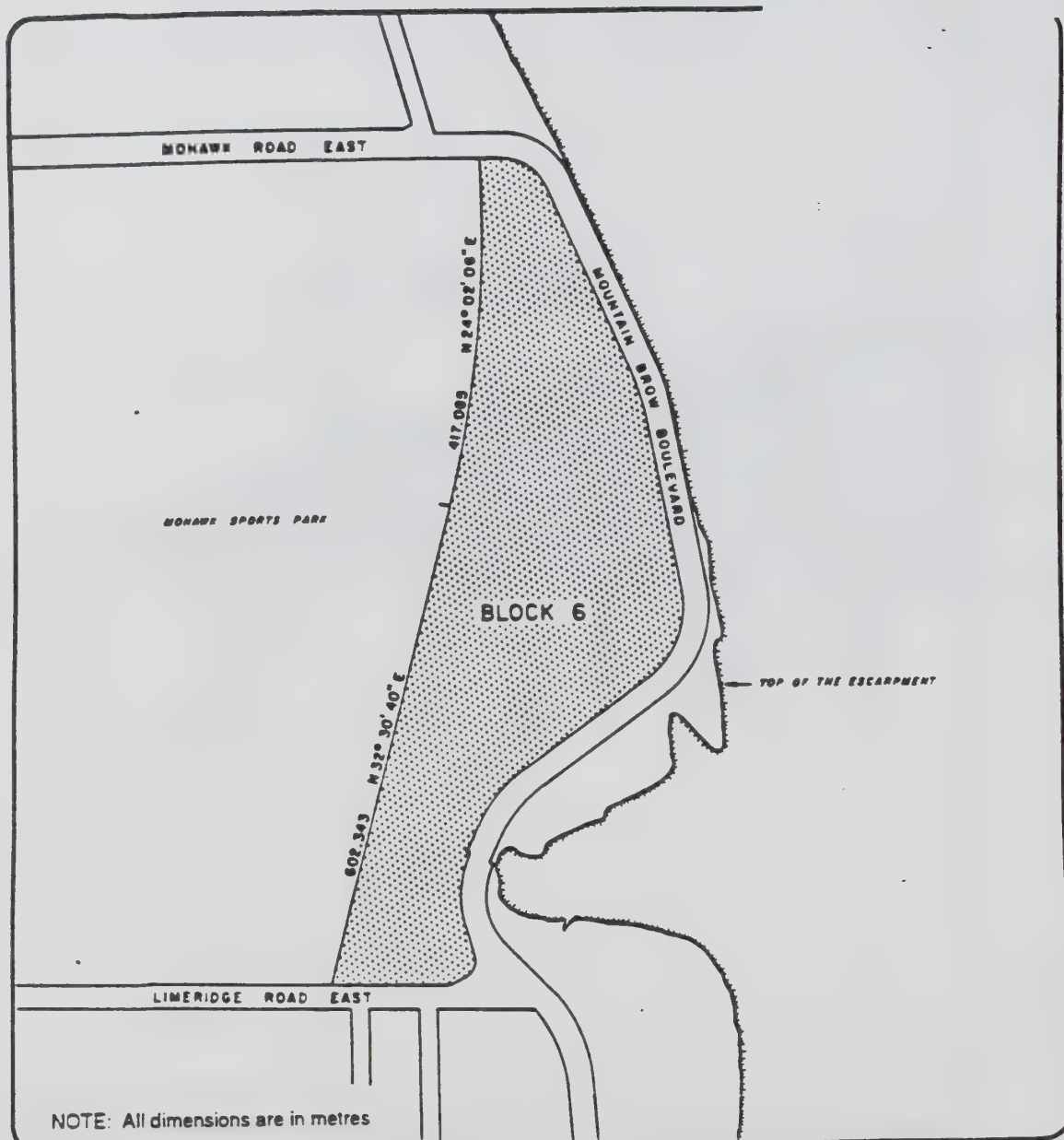
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JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By

Z.K.



City of Hamilton

Appendix 'E'

Planning and Development Department

Legend

BLOCK 6



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North



Scale
Not to Scale

Reference File No
C.I. 94-H

Date
JANUARY 1996

Drawn By
Z.K.



City of Hamilton

Appendix 'F'

Planning and Development Department

Legend

BLOCK 7



Modification to the "AA"
(Agricultural) District
regulations.

North



Scale
Not to Scale

Date
JANUARY 1996

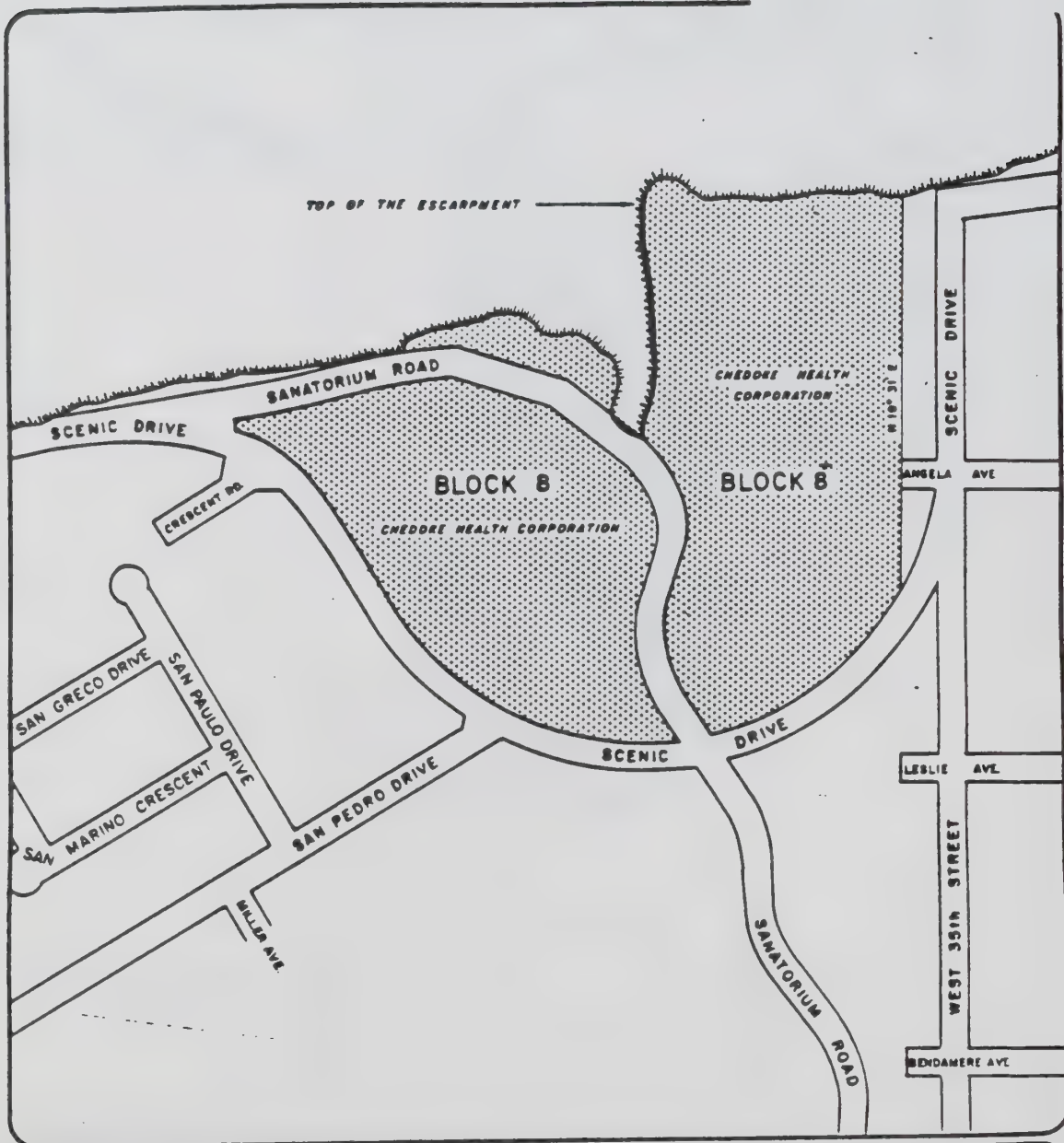
Reference File No.

C.I. 94-H

Drawn By
R.L.

1996 February 27

Appendix "G" referred to in
Section 1. A. of the **THIRD** Report of
the Planning and Development
Committee for 1996.



City of Hamilton

Appendix 'G'

Planning and Development Department

Legend

BLOCK 8



Modification to the
"AA" (Agricultural)
District regulations.

North



Scale

Not to Scale

Date

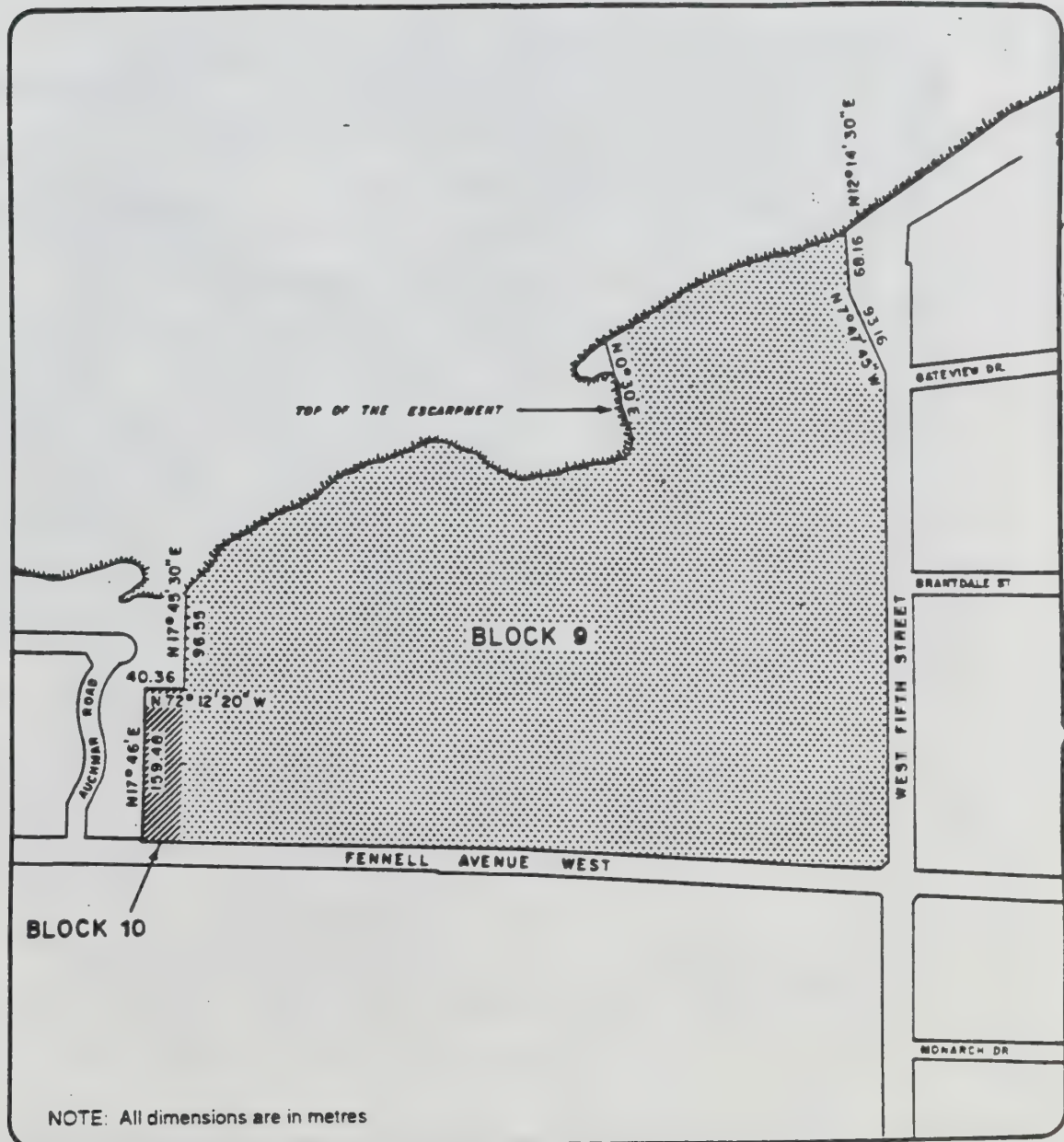
JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By

Z.K.



City of Hamilton

Appendix 'H'

Planning and Development Department

Legend

- BLOCK 9** Modification to the "B" (Suburban Agriculture and Residential, etc.) District regulations.
- BLOCK 10** Modification to the "B-1" (Suburban Agriculture and Residential, etc.) District regulations.

North



Scale
Not to Scale

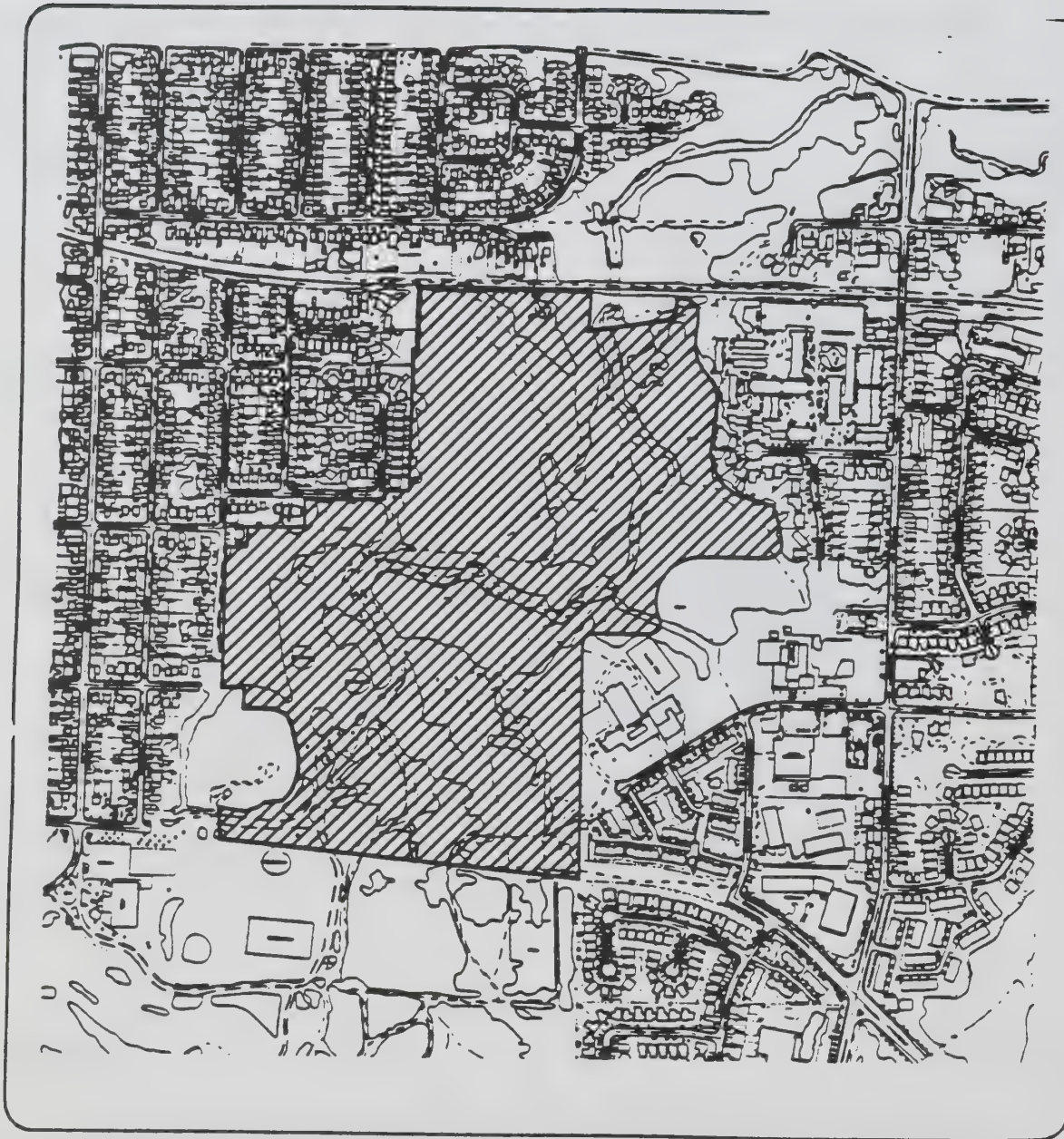
Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.

1996 February 27

Appendix "I" referred to in
Section 1. B. of the **THIRD** Report of
the Planning and Development
Committee for 1996.



City of Hamilton

Appendix "I"

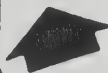
Planning and Development Department

Legend



Lands to be placed under
"Development Control"

North



Scale

NOT TO SCALE

Reference File No

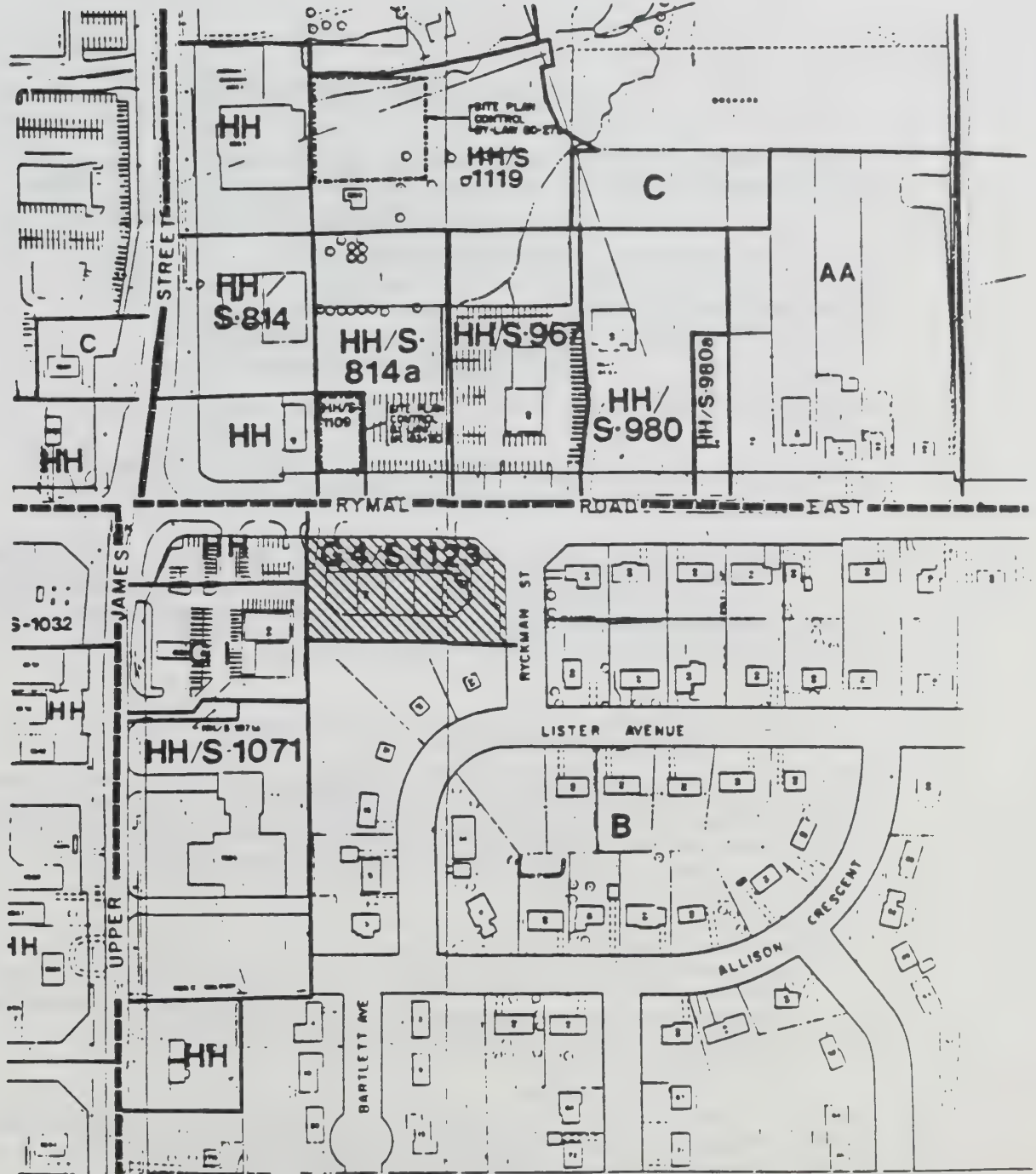
C194-H

Date

February 1996

Drawn By

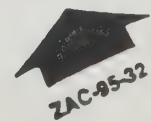
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Legend



Site of the Application



MINUTES OF SETTLEMENT

- Between -

DURAND NEIGHBOURHOOD ASSOCIATION INC.
(hereinafter called "Durand")

- and -

LATCO (1986) DEVELOPMENTS LIMITED
(hereinafter called "the developer")

- and -

THE CORPORATION OF THE CITY OF HAMILTON
(hereinafter called "the city")

The parties hereby noted above agree to settle Ontario Municipal Board File No. Z940041 on the following terms which will be included in a site-specific by-law similar to By-law No. 92-197 (The Carter Square By-law in that the building envelopes and building setbacks are specifically defined in the zoning by-law.)

1. Maximum Gross Floor Area

The building fronting onto Robinson Street (hereinafter the Robinson building), the building fronting onto Charlton Avenue (hereinafter the Charlton building) and the remaining Thistle Club building as at 9 January, 1995 shall cumulatively be permitted to have a maximum gross floor area (hereinafter G.F.A.) ratio of 2.25 times the lot coverage (approximately 17,490 sqm or 188,270 sqft.).

2. Maximum Heights

The Robinson Street Building shall have no more than 8 floors. The Charlton Avenue Building shall have a central section of no more than 7 floors and a combination of 3/4/5/4 storey graduation along Charlton Avenue as shown on Schedule "A".

3. Dwelling Unit Cap

The sum total of the dwelling units in both the Robinson Street Building and the Charlton Avenue Building will not exceed 200. If 200 dwelling units are included in one of the buildings, it follows that the other building cannot be constructed.

HF [Signature]

4. Thistle Club Site

The land upon which the Thistle Club stands after the development of the Robinson Street Building, hereinafter referred to as the "Thistle Club site", can be redeveloped upon demolition of the then building as follows:

- (a) a building of a maximum G.F.A. of 2,545 sqm (27,395 sqft) can be constructed provided that the maximum G.F.A. ratio, for the entire development site (i.e. those lands upon which the Robinson Street Building and the Charlton Avenue Building are to be constructed and the Thistle Club site) does not exceed 2.25 times lot coverage;
- (b) the maximum height of the new building on the Thistle Club site shall not exceed 4 storeys;
- (c) permitted uses in accordance with the "E" District and "RT-20" District will be permitted on the Thistle Club site;
- (d) set backs for any construction on the Thistle Club site shall be accordance with the building envelope shown on attached Schedule "A";
- (e) parking for the Thistle Club site will be permitted on the lands upon which the Robinson Street building and the Charlton Avenue building are constructed.

5. Amenity Space for the Charlton Avenue and Robinson Street Buildings

- (a) for the purposes of these Minutes of Settlement, Amenity Area shall be the same as that described in section 2.(2)H.(a) of By-law 6593 as of January 9, 1995 with a modification such that landscaping, patios and balconies are not included. Landscaping, patios and balconies shall not be considered as amenity area for the purposes of these Minutes of Settlement;
- (b) in regard to the Charlton Avenue Building the developer must provide 4,000 sqft of amenity space. Amenity space to a maximum of 4,000 sqft will not be included in the G.F.A. calculation for the Charlton Avenue Building;
- (c) in regard to the Robinson Street Building the developer must provide 3,000 sqft of amenity space. Amenity space to a maximum of 3,000 sqft will not be included in the G.F.A. calculation for the Robinson Street Building;
- (d) with respect to the Charlton Avenue building where balconies are enclosed, the resultant increase in G.F.A. will be excluded to a maximum of 9,000sqft. It is understood that no G.F.A. bonus will be given for a particular balcony unless it is enclosed;


HFT 25

- (e) with respect to the Robinson Street building where balconies are enclosed, the resultant increase in G.F.A. will be excluded to a maximum of 7,500 sqft. It is understood that no G.F.A. bonus will be given for a particular balcony unless it is enclosed;
- (f) a site specific by-law will be prepared in a form similar to By-law No. 92-197 (the Carter Square By-law);
- (g) the building setbacks do not include the balconies of each of the buildings in the calculations.

6. Traffic

The developer will provide the services of professional transportation engineers, at the developer's cost, to a maximum of \$7,500.00 to assist Durand in conducting an analysis of through traffic on Charlton Avenue with a view to making recommendations to the City regarding improvement in those patterns on Charlton Avenue.

7. Site Plan Agreements

The developer agrees that it will enter into one or more Site Plan Agreements with the City in the City's standard form.

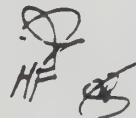
8. Site Plan Consultation

The Developer undertakes that in the site plan design stage it will do the following:

- (a) provide the Durand with a copy of its proposed Site Plan at the time it is filed with the City and consult in good faith with the Durand on the Site Plan during the site plan process;
- (b) obtain and reasonably consider professional advice regarding the potential of the building design to cause wind shear or cyclonic impacts at the ground level of the Robinson building.

9. Existing By-law 88-261

That which is permitted under By-law 88-261 will continue to be permitted. It must be noted that the developer will have two options for the site; one being that which is permitted under By-law 88-261; and the other option being that which is permitted under these Minutes of Settlement. A hybrid of the two options will not be permitted by By-law 88-261 or the By-law enacted further to these Minutes of Settlement.

Handwritten signature and initials, possibly "HF" and "AS", in the bottom right corner.

10. Severances



Durand agrees that it will not oppose subsequent applications by the developer for severances to implement the proposed property lines shown on the attached Schedule B for the construction only of one or more of the buildings each described in these Minutes of Settlement as Schedule A.

11. Authorization

The authorization for these Minutes of Settlement from the Council for the City of Hamilton is contained within the Fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held 1995 January 10 (copy attached as Schedule "C").

12. Subsequent Owners

The developer agrees to bind subsequent owners to enter into Assumption Agreements concerning these Minutes of Settlement with the Durand and the City.

HF  

1996 February 27

DATED at the City of Hamilton this 11th day of Jan^y 1996. *2 off*

DURAND NEIGHBOURHOOD ASSOCIATION
INC.

"Durand"

Belore Falken, President of above
Maurice J. Leppard, Secretary

To resolve
DATED at the City of Hamilton this 5th day of Jan^y 1996. *we have the authority to bind the corporation*

LATCO (1986) DEVELOPMENTS LIMITED
"the developer"

yes
DATED at the City of Hamilton this 19th day of Jan^y 1996. *L. Popelishy*
A.S.C.

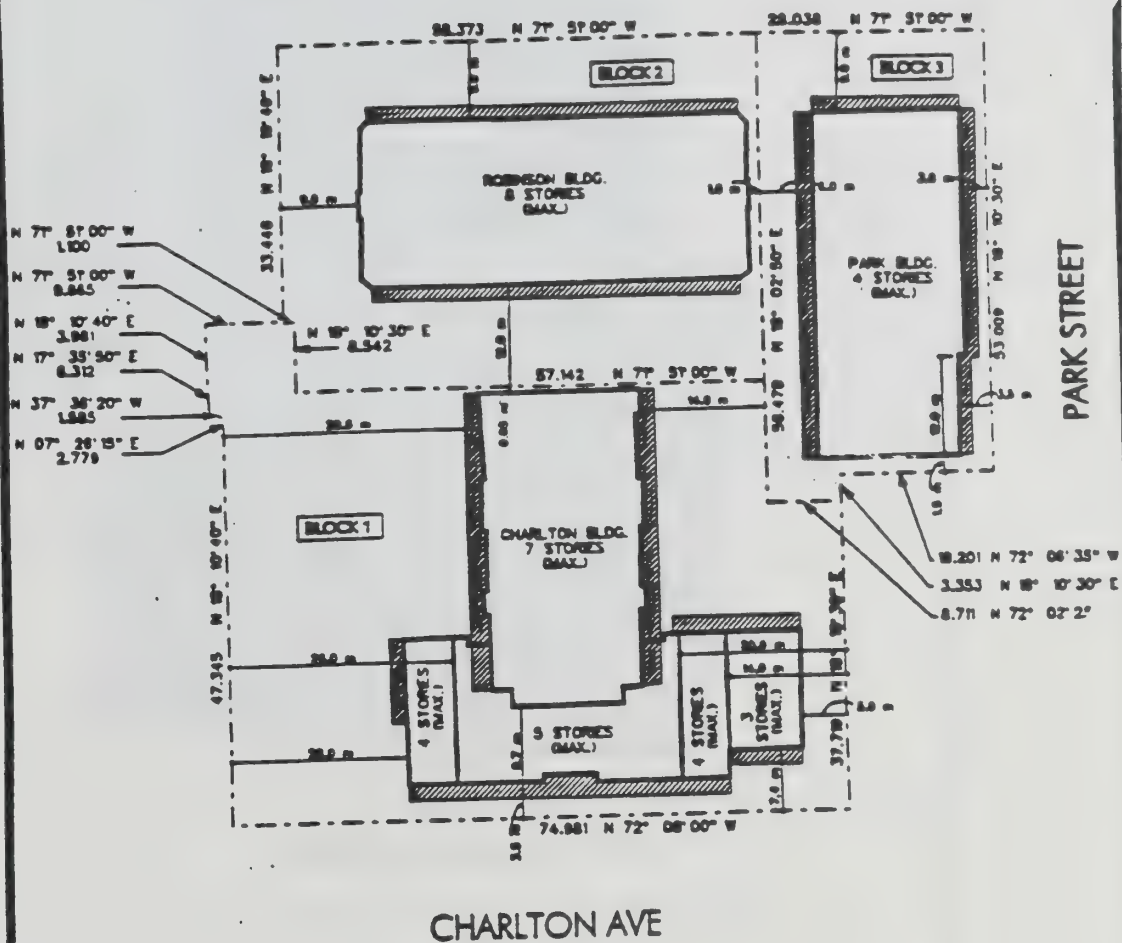
THE CORPORATION OF THE CITY OF
HAMILTON
"the City"



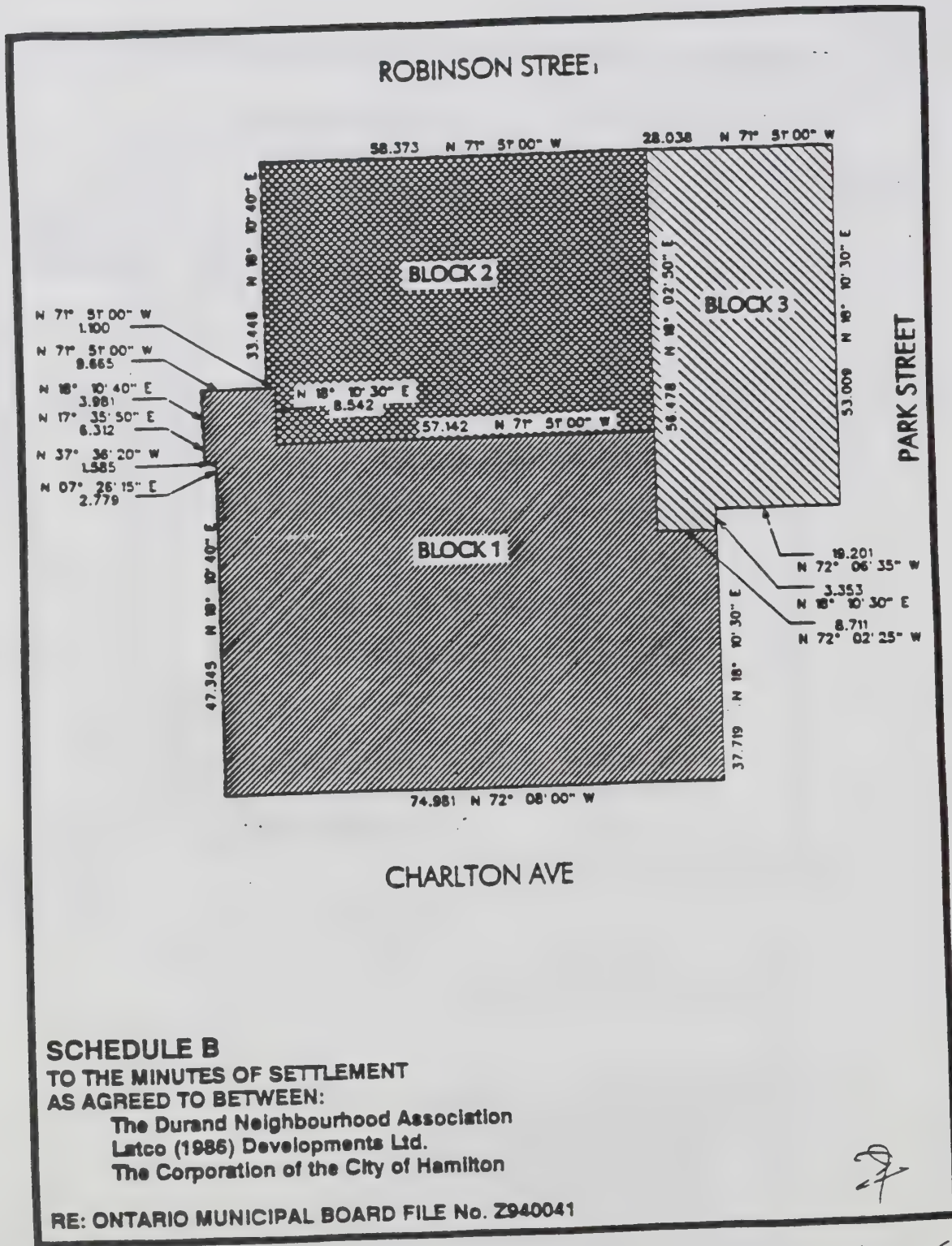
[Signature]
ROBERT M. MORROW, MAYOR
ALDERMAN D. DRURY, ACTING MAYOR

[Signature]
JOSEPH J. SCHATZ, CITY CLERK

(dynamis.stl)



RE: ONTARIO MUNICIPAL BOARD FILE No. Z940041



SCHEDULE C

**TO THE MINUTES OF SETTLEMENT
AS AGREED TO BETWEEN:**

The Durand Neighbourhood Association
Latco (1986) Developments Ltd.
The Corporation of the City of Hamilton

RE: ONTARIO MUNICIPAL BOARD FILE No. Z940041

1995 January 10

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. The compromise reached with respect to amended Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, for lands located at 85 Robinson Street (Thistle Club), as shown on the attached map marked as appendix "A", between the owner (Latco (1986) Developments Limited) and the Durand Neighbourhood Association can be supported on the following basis:
 - the existing By-law No. 88-261 is to be amended so that the developer has two individual options for the development of the property:
 - the first option would be to allow that which is permitted under By-law No. 88-261;
 - the second option would allow for:
 - (a) two apartment buildings, one fronting onto Robinson Street and one fronting onto Charlton Avenue, and the remaining Thistle Club building with a maximum gross floor area ratio of 2.25 times lot coverage (approximately 17,490 m² or 188,270 feet²);
 - (b) if/when the remaining Thistle Club building is demolished, the vacant lands would be redeveloped on the following basis:
 - (i) maximum gross floor area of 2545 m² (27,395 feet²);
 - (ii) maximum height of 4 stories;
 - (iii) minimum yard requirements: as per attached Appendix "B";
 - (iv) permitted uses in accordance with the "E" District regulations; and townhouses, street townhouses and maisonettes in accordance with the "RT-20" District regulations;
 - (v) maximum gross floor area ratio, including two apartment buildings in Part (a) above, would not exceed 2.25;

1995 January 10

- (vi) parking will be permitted on the lands upon which the building facing Robinson Street and the building facing Charlton Avenue are to be constructed;
- (c) the following will be established with respect to amenity area:
- (i) "amenity area" be defined as "an area on the same lot accessory to a residential use, including communal areas such as swimming pools, lounges, and recreation areas";
- (ii) amenity area will be provided on the following basis:
- Building facing Robinson Street - a minimum of 278.7 m^2 (3000 feet²); and,
- Building facing Charlton Avenue - a minimum of 371.6 m^2 (4000 feet²);
- (iii) required amenity area will not be calculated as part of the gross floor area ratio of 2.25 up to maximums as set out below:
- Building facing Robinson Street:
Amenity area to a maximum of 278.7 m^2 (3000 feet²) will not be included in the gross floor area calculation;
- Where balconies are enclosed, the resultant increase in gross floor area will be excluded up to a maximum of 696.75 m^2 (7500 feet²);
- Building facing Charlton Avenue:
Amenity area to a maximum of 371.6 m^2 (4000 feet²) will not be included in the gross floor area calculation;
- Where balconies are enclosed the resultant increase in gross floor area will be excluded up to a maximum of 836.1 m^2 (9000 feet²);
- (d) not more than 200 dwelling units in the building facing Robinson Street and the building facing Charlton Avenue combined (not including the remaining Thistle Club lands);
- a site specific by-law be prepared in a form similar to By-law No. 92-197 (the Carter Square by-law);

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1996 February 27

1995 January 10

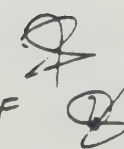
- the applicant will engage traffic engineers to work with the Durand Neighbourhood Association and make recommendations to the City Traffic Department concerning the traffic impacts on Charlton Avenue; and,
 - the applicant will provide an undertaking to:
 - provide the Durand Neighbourhood Association with a copy of its proposed Site Plan at the time it is filed with the City and consult in good faith with Durand on the Site Plan during the site plan process; and,
 - obtain and reasonably consider professional advice regarding the potential of the building design to cause wind shear or cyclonic impact at the ground level of the building facing Robinson Street.
2. That staff be directed to advise the Ontario Municipal Board that the City supports the compromise as set out in Recommendation No. 1.

RESPECTFULLY SUBMITTED,

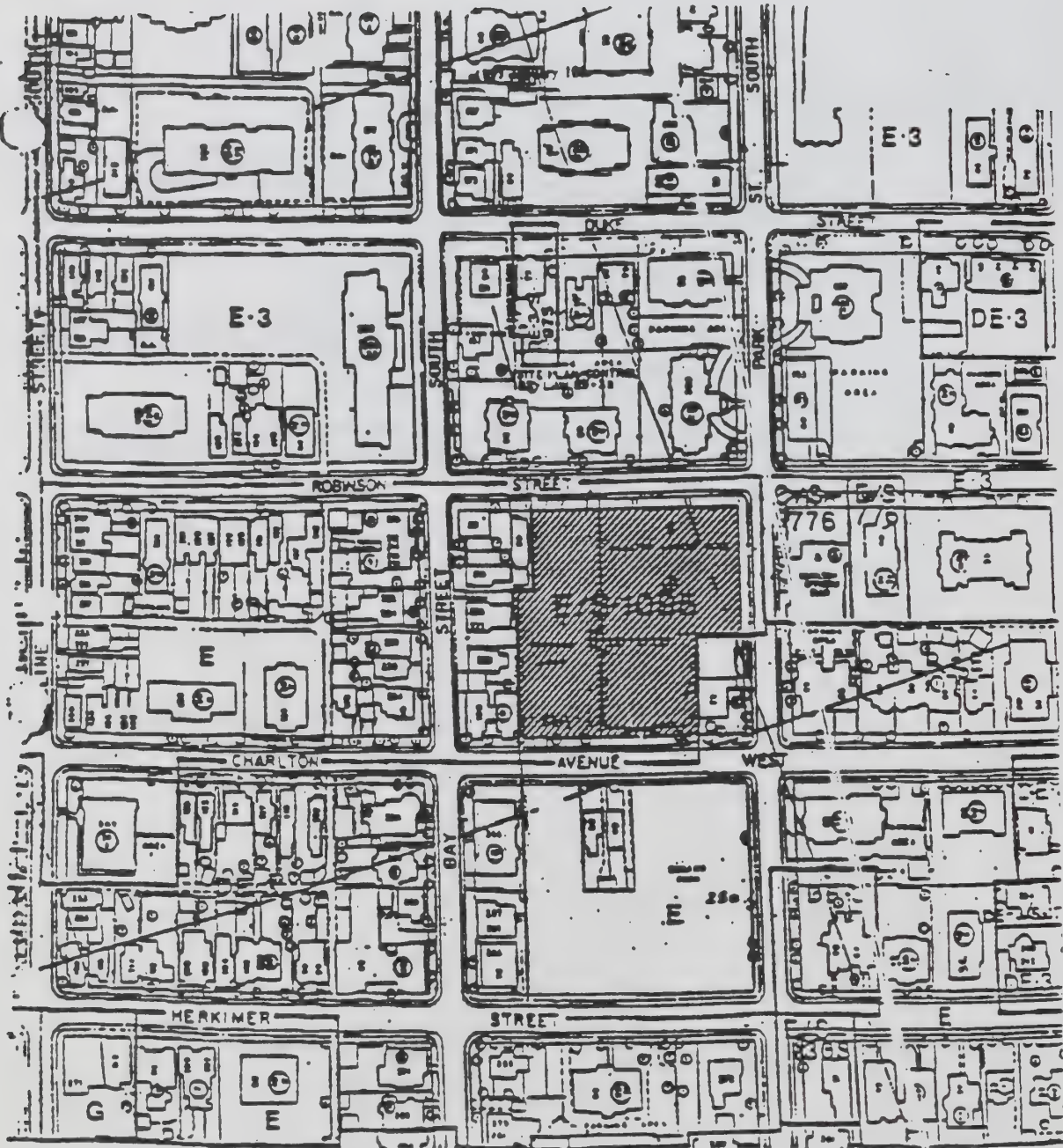
ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE

Stella Glover
Secretary

1995 January 10

HF 

1996 February 27



Legend

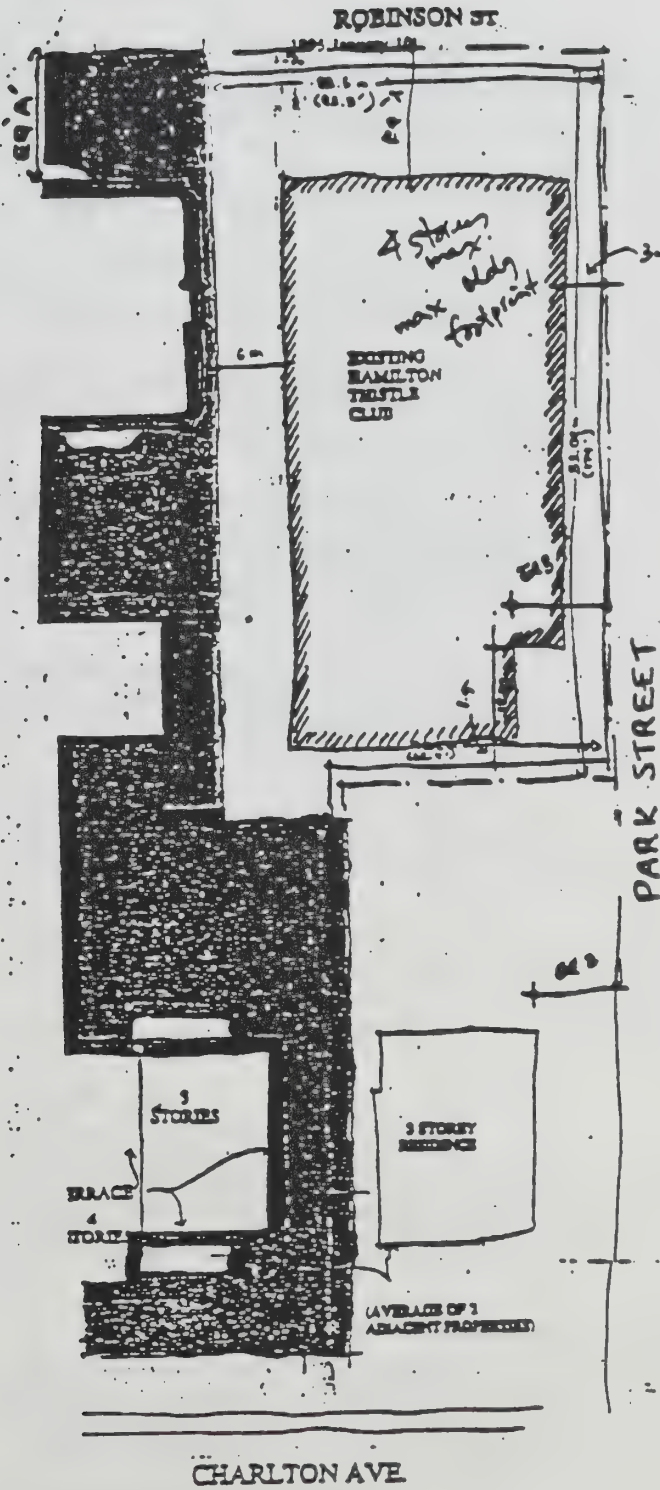


Site of the Application



ZAC 93-17

1996 February 27



1996 February 27

Appendix "L" referred to in
Section 5. (a) (ii) of the **THIRD** Report
of the Planning and Development
Committee for 1996.

Bill No. C-

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 85 ROBINSON STREET

WHEREAS it is intended to establish special requirements under Section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821),

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-261 on the 8th day of November 1988 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E" District, in respect of the land located at Municipal No. 85 Robinson Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Memorandum of Oral Decision (Files No. C940123, C940124, Z 940041), dated the 16th day of January 1995, directed that By-law No. 88-261 be amended as hereinafter provided;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to permit two mutually exclusive development options in respect of the land located at Municipal No. 85 Robinson Street, in addition to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of Zoning By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended as set out below such that the lands might be developed by way of one of two distinct options and not a hybrid of the two. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions will also continue to be applicable to the lands notwithstanding the two options noted herein.

OPTION NO. 1

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended, to the extent only of the special requirements that,

- (a) notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, a residential care facility shall be permitted in the same building as the multiple dwelling;

- (b) notwithstanding Section 2.(2)J.(xb) of By-law No. 6593, a pedestrian entranceway to underground parking shall be permitted within the landscaped area required under Section 18A.(12) of By-law No. 6593.
- (c) Section 4.(3)(a) of By-law No. 6593 shall not apply;
- (d) notwithstanding Section 11.(1)(iii) of By-law No. 6593, the multiple dwelling shall provide not more than 110 dwelling units;
- (e) notwithstanding Section 11.(1)(iiib) of By-law No. 6593, the residential care facility shall accommodate not more than 162 residents, all of whom shall be not less than 60 years of age;
- (f) notwithstanding Section 11.(1)(viii) of By-law No. 6593, continued use of the private club is permitted only within the building or any portion thereof existing at the date of the passing of this by-law;
- (g) notwithstanding Section 11.(3)(ii)(b) of By-law No. 6593, a side yard of not less than 8.0 m in width shall be provided and maintained along the westerly side lot line within 33.4 m of Robinson Street;
- (h) notwithstanding Section 11.(3)(iii)(b) of By-law No. 6593, a rear yard of not less than 8.0 m in depth shall be provided and maintained along Charlton Avenue;
- (i) notwithstanding Section 11.(5) of By-law No. 6593, a gross floor area of not more than 22,130.0 m² shall be permitted;
- (j) Section 11.(7) of By-law No. 6593 shall not apply;
- (k) notwithstanding Section 18.(3)(vi)(b)(i) of By-law No. 6593, a canopy may project not more than 2.5 m into the required front yard;
- (l) notwithstanding Section 18.(3)(vi)(cc)(i) of By-law No. 6593, a balcony may project not more than 1.4 m into the required front yard;
- (m) notwithstanding Section 18A.(1)(a) of By-law No. 6593, not less than 173 parking spaces shall be provided and maintained;
- (n) notwithstanding Section 18A.(11)(a) and 18A.(12)(b) of By-law No. 6593, the boundary of the loading space shall be fixed not less than 0.4 m from the boundary of the adjoining residential district.

OPTION NO. 2

3. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as Schedule "B" and Schedule "C", are further amended to the extent only of the special requirements that,

- (a) notwithstanding Sections 11(2), 11(3), 18(3), and 18(8) of By-law No. 6593, the maximum building heights above grade, minimum yards and minimum building distance separations shall be provided and maintained in accordance with the attached Schedule "C". Above grade buildings shall be located wholly within the areas outlined by the heavy building envelope lines as is shown on Schedule "C". Building envelopes shall be variable to the maximum distances shown on Schedule "C" provided that the minimum setbacks shown on Schedule "C" are met. Minimum setbacks shall not be compromised by maximized building envelopes;

- (b) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 1:
- (i) from Block 2 - minimum 0.05 metres,
 - (ii) from Block 3 - minimum 14.0 metres,
- as shown on Schedule "C";
- (c) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 2:
- (i) from Block 1 - minimum 12.0 metres,
 - (ii) from Block 3 - minimum 1.0 metres,
- as shown on Schedule "C";
- (d) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 3:
- (i) from Block 1 - minimum 4.8 metres,
 - (ii) from Block 2 - minimum 6.0 metres,
- as shown on Schedule "C";
- (e) notwithstanding Section 18(3)(vi)(cc) of By-law No. 6593, balcony projections for all yards are not to exceed 1.5 m, including enclosed balconies;
- (f) notwithstanding Section 11(5) of By-law No. 6593, the following provisions apply:
- (i) a maximum gross floor area of 2.25 times the lot area of Blocks 1, 2 and 3 as shown on Schedule "B" shall be permitted;
 - (ii) a maximum of 200 dwellings units shall be permitted on Blocks 1 and 2 combined;
 - (iii) a maximum gross floor area of 2,545 m² (27,395 feet²) shall be permitted on Block 3, provided that the maximum gross floor area ratio for the entire site (Blocks 1, 2 and 3) does not exceed 2.25 times lot area;
- all in accordance with the attached Schedule "C",
- (g) amenity area shall be provided and maintained on the following basis:
- (i) Block 1 - minimum of 371.6 m² (4,000 feet²); and
 - (ii) Block 2 - minimum of 278.7 m² (3,000 feet²);
- (h) the required amenity area noted in (h) above will not be calculated as part of the gross floor area ratio of 2.25 up to maximums as follows:
- (i) Block 1 - amenity area to a maximum of 371.6 m² (4,000 feet²); and
 - (ii) Block 2 - amenity area to a maximum of 278.7 m² (3,000 feet²);

- (i) where balconies are enclosed, the resultant increase in gross floor area will not be calculated as part of the gross floor area ratio of 2.25 as follows:
 - (i) Block 1 - to a maximum of 836.1 m² (9,000 feet²); and
 - (ii) Block 2 - to a maximum of 696.75 m² (7,500 feet²);
 - (j) for the purposes of Option No. 2, "amenity space" shall be defined as "an area on the same lot accessory to a residential use, including communal areas such as swimming pools, lounges and recreation areas, but does not include landscaping, patios and balconies";
 - (k) notwithstanding Section 11(1) of By-law No. 6593, townhouses, street townhouses or maisonettes shall be permitted on Block 3;
 - (l) notwithstanding Section 11(1)(viii) of By-law No. 6593, and Sections 3(a) to 3(k) of this by-law, the continued use of the private club is permitted only within the building or any portion thereof existing at the date of the passing of this by-law;
 - (m) notwithstanding Section 18A of By-law No. 6593, required parking for Block 3 may be provided and maintained on Blocks 1 and 2, subject to the registration on title of irrevocable site plan agreements for each of Blocks 1, 2 and 3 between the respective owner(s) of Blocks 1, 2 and 3 and the City. In the event that required parking for Block 3 is not being provided and maintained by such a site plan agreement, parking for Block 3 must be provided and maintained on Block 3;
 - (n) notwithstanding Section 18A of By-law No. 6593, required parking, access driveways, and manoeuvring space for Block 1 and Block 2 may be provided and maintained on both Block 1 and Block 2, subject to the registration on title of irrevocable site plan agreements for each of Blocks 1 and 2 between the respective owner(s) of Blocks 1 and 2 and the City. In the event that required parking, access driveways, and manoeuvring space for each of Blocks 1 and 2 is not being provided and maintained by such site plan agreements, required parking, access driveways and manoeuvring space for each of Blocks 1 and 2 must be provided and maintained on Block 1 and Block 2, respectively;
 - (o) notwithstanding Section 18A of By-law No. 6593, one loading space measuring 3.7 metres by 9.0 metres shall be provided and maintained on each of Block 1 and Block 2.
4. Where the land is developed in accordance with Option No. 1, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in Section 2.
5. Where the land is developed in accordance with Option No. 2, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in Section 3 of this by-law.
6. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1343.

1996 February 27

7. Sheet No. W-5 of the District Maps is amended by marking the lands referred to in Sections 2 and 3 of this by-law, S-1343.

8. By-law No. 88-261 is hereby repealed in its entirety

PASSED this

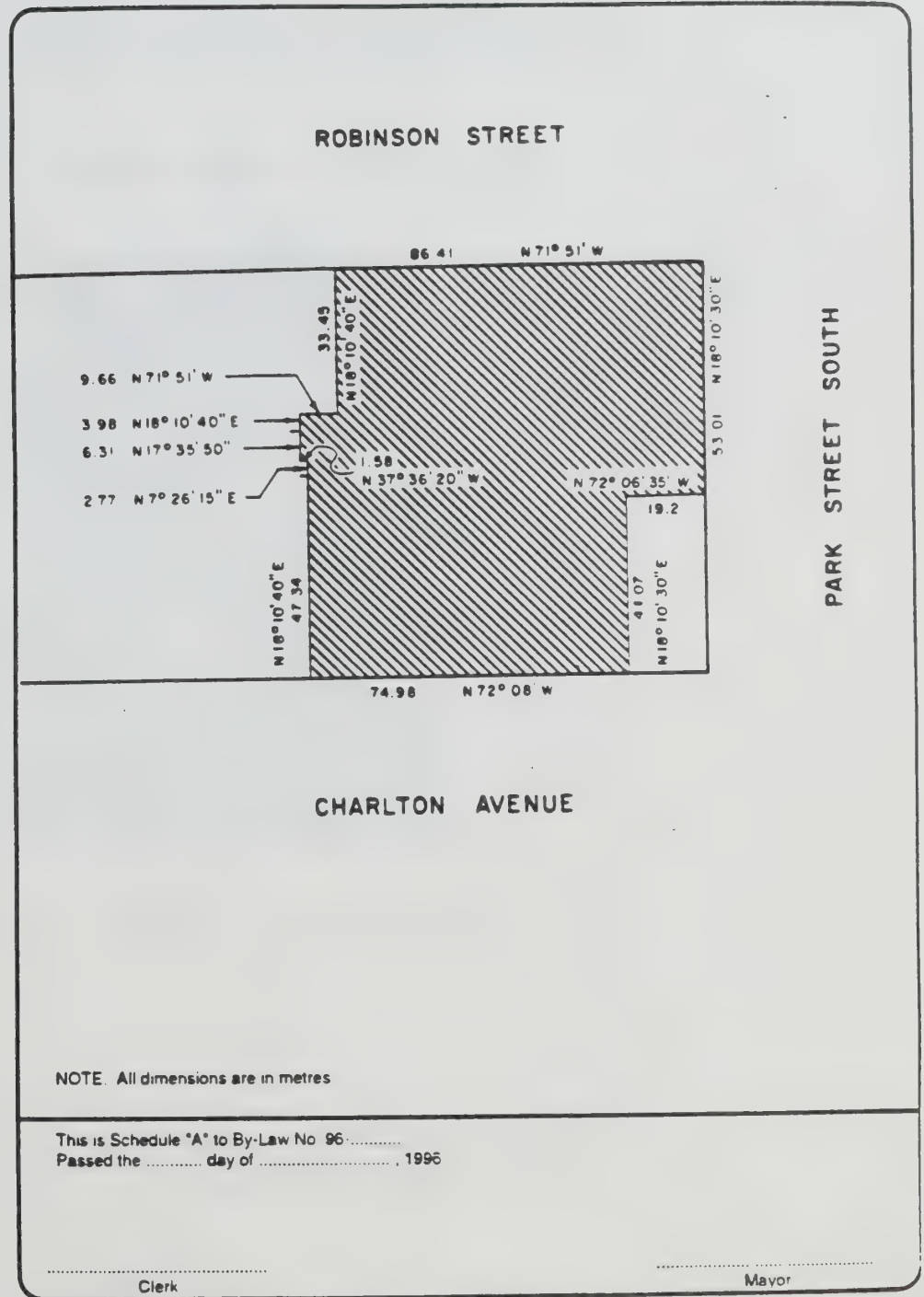
day of

A.D. 1996

CITY CLERK

MAYOR

(1995) 4 R.P.D.C. 1, January 10
Latco (1986) Developments Limited, Owner
ZAC-93-17



City of Hamilton

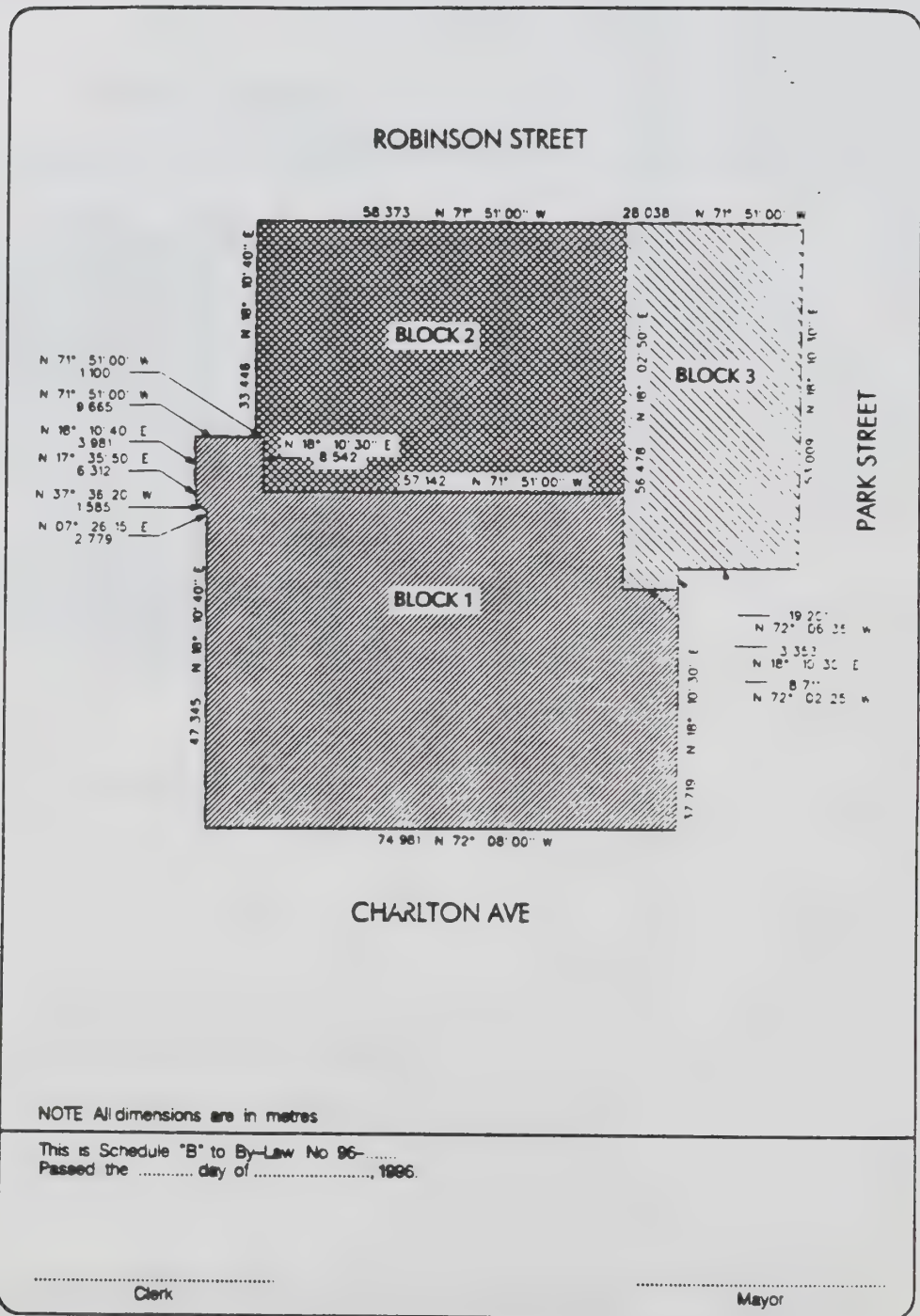
Schedule A

Map Forming Part of
 By-Law No. 96
 to Amend By-Law No. 6593

Legend

Lands to be regulated by
 By-Law No. 96.....

North 	Scale Not to Scale	Reference Fee No ZAC-93-17
	Date FEB 1996	Drawn By Z K



City of Hamilton

Schedule B

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

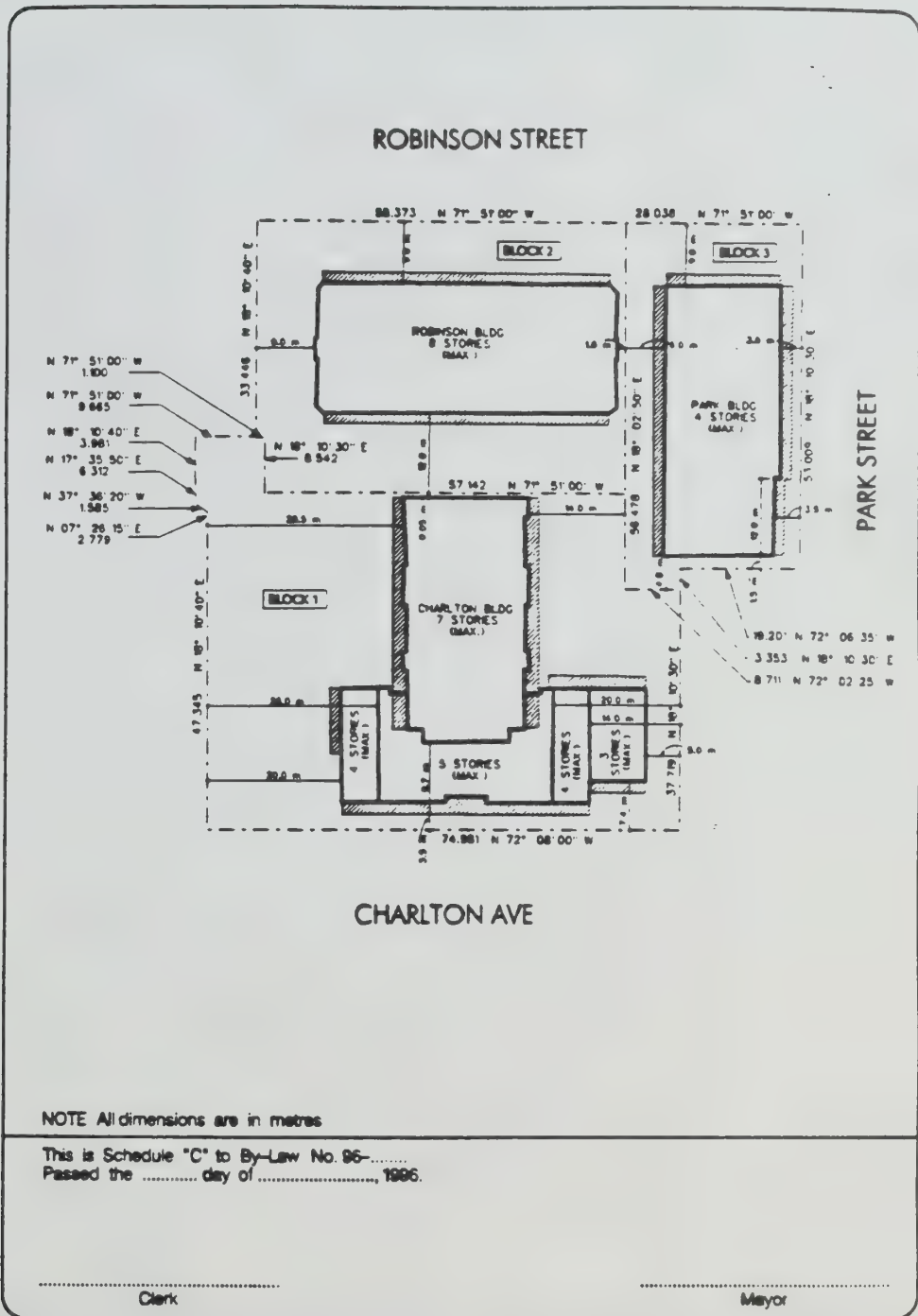
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BLK 1
BLK 2
BLK 3

Lands to be regulated by
By-Law No. 96-.....

North
Scale
Not to Scale
Date
FEB 1996

Reference File No.
ZAC-93-17
Drawn By
R.L.




City of Hamilton


Schedule C


Map Forming Part of
 By-Law No. 96-.....
 to Amend By-Law No. 6593

Planning and Development Department

Legend

 BUILDING ENVELOPES

 BALCONIES / SUNROOMS

North 	Scale Not to Scale Date FEB 1996	Reference File No. ZAC-93-17 Drawn By R.L.
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REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Action # 7605/94 by the payment to the Plaintiff, Dale Connell, of the sum of \$2,500., inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 7605/94 be dismissed without costs.
2.
 - (a) That the City resolve Ontario Court (General Division) Action # 8839/95 by the payment to the Plaintiff, Linda Lys, of \$750., inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 8839/95 be dismissed, as against the City of Hamilton, without costs.
3. That Section 23 of the Twenty-Ninth Report for 1995 of the Finance and Administration Committee, approved by City Council at its meeting held Tuesday, 1995 December 12, be amended to delete the words "30 Sanford Avenue South" and replace in lieu thereof "555 Queenston Road, or such other building owned by the Hamilton Housing Authority as may be mutually agreed upon by the Housing Authority and the Fire Chief".

4. (a) That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:
 - (i) 1453 Main Street East; and,
 - (ii) 1 foot Reserve, Fieldway Drive; and,
- (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.
5. (a) That the amendment to the International Union of Operating Engineers, Local 793, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
6. (a) That the amendment to the International Union of Bricklayers and Allied Craftsmen, Local #31B - Hamilton, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
7. (a) That the amendment to the International Union of Bricklayers and Allied Craftsmen (Bricklayers, Masons and Plasterers), Local #1 - Hamilton, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
8. That the Statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1995, attached herewith and marked Appendix "A", be received by City Council.
9. (a) That an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1996 June 9th at Christie Conservation Area; and,
- (b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

10.
 - (a) That \$54,780. of the Current Budget Surplus be transferred to the Reserve for Election Expense, 00123; and,
 - (b) That \$50,000. of the Current Budget Surplus be transferred to the Reserve for Hosting of Special Dignitaries, 00128; and,
 - (c) That \$420,000. of the Current Budget Surplus be transferred to the Reserve for Early Retirement, 00105; and,
 - (d) That \$483,800. of the Current Budget Surplus, Other Capital Projects, be transferred to Reserve for Capital Projects, 00203; and,
 - (e) That the balance of the Current Budget Surplus be transferred to the Reserve for Tax Stabilization, 00135; and,
 - (f) For the information of members of City Council, the City's 1995 Current Budget surplus position required no draw down from the reserve allocations to the current revenue except \$600,000.
11.
 - (a) That the City of Hamilton Licence By-law 93-069, Schedule 4, respecting Taxicabs, be amended to permit rear window advertising in Taxicabs; and,
 - (b) That the City Solicitor be authorized and directed to prepare the appropriate By-law amendment.
12.
 - (a) That the Council of the Corporation of the City of Hamilton deems the Juno Awards to be held in Hamilton on Sunday, 1996 March 10th to be an event of municipal significance City-wide; and,
 - (b) That the Liquor Licence Board of Ontario be advised that City Council has no objection to a blanket approval for licensed establishments in the City of Hamilton to be approved for the sale and service of beverage alcohol to 2:00 o'clock a.m.
13. That portable signs not be permitted on the property known as Commonwealth Square, with the exception of the signboard currently in place at the corner of Summer's Lane and Main Street West, which is controlled by the Hamilton Parking Authority.

14. (a) That an Offer to Purchase Agreement, duly executed by Peter Zourntos on 1996 January 23, and scheduled to close within 30 days after all conditions in the Offer are fulfilled, said conditions to be fulfilled by 1996 July 31 (or at the option of the Purchaser extended to 1996 September 30), for the vacant property municipally described as 771 Queenston Road, Hamilton and legally described as Part of Lots 27 & 28, Concession 2, formerly Saltfleet Township, being Part 1, Plan 62R-4156 and Parts 2 & 3, Plan 62R-3773 (subject to easements in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas, Bell Canada and Hamilton Hydro), situated at the north-west corner of Queenston Road and Kenora Avenue with frontage on Queenston Road of 31.0 metres (101.7 feet) more or less, and flankage along Kenora Avenue of 43.27 metres (141.97 feet) more or less, containing 0.175 hectares (0.433 acres) or 1,753.55 sq. metres (18,875 sq. ft.), be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$240,000., be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That this transaction is subject to the fulfilment of conditions to the satisfaction of the City prior to the closing, as required under the Municipal Act regarding the passing of a By-law to authorize the sale of a closed highway (portion of Kenora Ave. closed in 1977 described as Parts 2 & 3, Plan 62R-3773); and,
- (c) That if the adjacent land owner exercises its' right to purchase the abutting portion of the closed road allowance at the same unit price as the Purchaser, the site area and price of the parcel to be conveyed to the Purchaser will be reduced accordingly; and,
- (d) That a condition in the Offer and reproduced as follows, be accepted:

This Offer is conditional upon the Purchaser satisfying himself within 10 days of acceptance by the City that:

- (i) The City will permit ingress to the property from Queenston Road and egress from the property for right hand turns onto Queenston Road; and,
- (ii) The City will permit ingress to and egress from the property from and to Kenora Avenue respectively; and,
- (iii) Any property of the Utility which is installed or, is intended to be installed within the closed highway, shall not interfere with the Purchaser's development or use of the said closed highway; and,

- (e) That the required deposit cheque in the amount of \$23,000. be held by the City Treasurer pending Council approval; and,
 - (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (g) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1995 October 16 and received on 1996 February 6; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
15. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:
- 130 Lancing Dr.
- (b) That the by-law to authorize the said Extension Agreement be enacted by Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.

1996 February 27

16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-9 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-10 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 February 20**

1996 February 27

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1995

Appendix "A" referred
to in Section 8 of the
FOURTH Report of
the Finance and
Administration
Committee for 1996.

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council	Salary*
Agostino, D.	\$6,620.71
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	5,438.46
Charters, R.	20,492.68
Copps, G.	20,429.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	<u>20,492.68</u>
	<u>\$385,025.53</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	\$2,100.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,100.00
Cutler, R.	<u>2,100.00</u>
	<u>\$10,500.00</u>

1996 February 27

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1995

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 900.00
Clothier, R.	900.00
Cooper, H.	1,100.00
Gibson, D.	700.00
Green, R.	700.00
Groves, L.	700.00
Hardie, D.	1,300.00
Holms, M.	1,000.00
Kaut, H.	1,100.00
Korz, G.	1,400.00
Langdon, D.	800.00
MacIntyre, D.	1,300.00
Penko, G.	1,100.00
Reilly, M.	400.00
Taffs, R.	800.00
VanDerbeek, P.	1,800.00
Woodrow, B.	<u>600.00</u>
	<u>\$16,600.00</u>

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	\$121.10**
Agro, V. J.	161.46**
Anderson, T.	1,137.81
Caplan, M.	2,187.76
Charters, R.	5,574.58
Collins, C.	40.37**
Copps, G.	nil
D'Amico, F.	161.46**
Drury, D.	161.46**
Eisenberger, F.	161.46**
Jackson, T.	161.46**
Kiss, M.	161.46**
McCulloch, W.	1,525.73
Merling, H.	161.46**
Morelli, B.	161.46**
Morrow, R.	20,524.99
Ross, D.	2,013.88
Wilson, D.	<u>161.46**</u>
	<u>\$34,579.36</u>

**telephone allowance only

1996 February 27

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1995

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, G.	\$1,118.09
Rogers, P.	415.15
MacGillivray, M.	<u>204.25</u>
	<u>\$1,737.49</u>

(c) H.E.C.F.I. Appointees

Mayor R. Morrow	\$3,148.30
Alderman T. Anderson	278.30
Dow, M.	278.30
Tidball, W.	<u>407.90</u>
	<u>\$4,112.80</u>

(d) Parking Authority Appointees

Alderman V. Agro	<u>\$2,359.57</u>
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1996 February 27

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. That the Cab Driver Licence application of Randall Charles Baker, 28 Burris Street, Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
LICENSING COMMITTEE**

Stella Glover
Secretary

1996 February 14

1996 February 27

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That Alderman _____ be appointed Chairman of the Committee of the Whole for the period of March, April and May, 1996.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 February 27

JJS/dg

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 FEBRUARY 27
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

DEFINITION OF "SIGN, PUBLIC NOTICE"

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 23rd Report of the Planning and Development Committee at its meeting held on the 12th day of December 1995, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the definition of "sign, public notice", as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(2)H(viea) of Zoning By-law No. 6593 is amended by deleting the existing definition of "sign, public notice" and replacing it with the following:

"**sign, public notice**" shall mean a sign containing content advertising that an application for an official plan amendment and/or an application for an amendment to Zoning By-law No. 6593 and/or an application for the approval of a plan of subdivision and/or an application for consent has been made, and that the application is, or applications are, being considered by the City of Hamilton."

2. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 371 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18D of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block "1",
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,
 - (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, every lot shall have a width of at least 11.6 m and an area of at least 360 m².
3. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding Section 7A(4) of Zoning By-law No. 6593, every lot shall have an area of at least 1,200 m².
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "AA" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1352.

6. Sheet No. E-18D of the District Maps is amended by marking the lands referred to in sections 1 and 3 of this by-law, S-1352.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

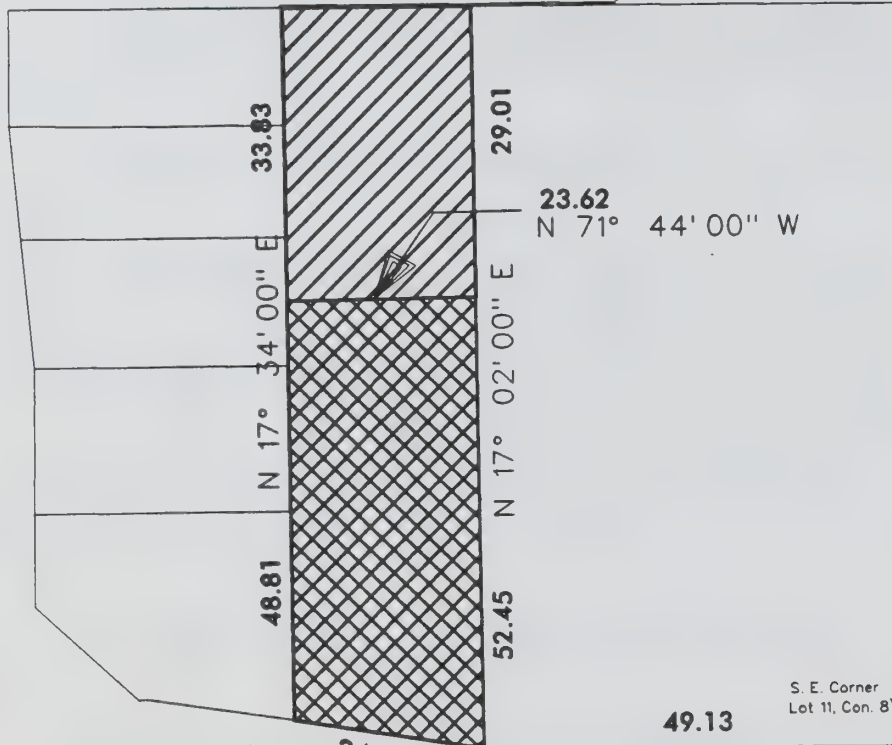
MAYOR

(1996) 1 R.P.D.C. 2, January 30
Harley Knight, Owner
Amended ZA-95-30

BORDEAUX COURT

N 71° 44' 00" W
23.30

REPUBLIC AVENUE



S. E. Corner
Lot 11, Con. 8

RYDAL ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to "C" (Urban
Protected Residential, etc.) District



Modification to the "AA" (Agricultural) District

North



Scale
NOT TO SCALE

Date
February 1996

Reference File No.

ZAR-95-30

Drawn By

William Braithwaite

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-laws No. 86-201, 90-227 and 92-160

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1492 UPPER JAMES STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-201 on the 25th day of June 1986 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-227 on the 31st day of July 1990 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-160 on the 30th day of June 1992 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 1st Report of the Planning and Development Committee at its meeting held on the 30th day of January 1996, recommended that Zoning By-law No. 6593, as amended by By-laws No. 86-201, 90-227 and 92-160, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, as amended by By-laws No. 86-201, 90-227 and 92-160, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) in accordance with Section 39 of the Planning Act, R.S.O. 1990, the buildings or structures existing on the day of the passing of this by-law and the land may be used temporarily for the sale of new and used automobiles for a period not exceeding three years from the day of the passing of this by-law;
- (b) notwithstanding Section 9.(1) of Zoning By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of Zoning By-law No. 6593;
- (c) notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a minimum 3.0 m wide landscaped planting strip shall be provided and maintained only along the northerly lot line; and
- (d) notwithstanding Section 18.(3)(ivc)(c) of Zoning By-law No. 6593, no visual barrier shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-939c.

4. Sheet No. W-9D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-939c.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 1 R.P.D.C. 1, January 30
A. Hemstreet, Owner
ZAR-95-28



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-____
to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 96-.....

North



Scale
NOT TO SCALE

Date
November 1996

Reference File No.
ZAR-95-28

Drawn By
William Braithwaite

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1996, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	130 Lancing Dr
	SERIAL NUMBER	06 07210 5830
	BRIEF LEGAL DESCRIPTION	Plan 62M-489 Lot 21
	DATE OF REGISTRATION	November 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT392912
	REDEMPTION DATE	November 7, 1996
	TOTAL ARREARS	\$33,399.43

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF FEBRUARY A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of February A.D. 1996

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CAY ON HBL AOS
A31
1996



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

1996 March 7

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

URBAN MUNICIPAL

**Tuesday, 1996 March 12
7:30 o'clock p.m.
Council Chambers, City Hall**

MAR 11 1996

GOVERNMENT DOCUMENTS

**S. G. Hollowell
Acting City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: The Rev. William A. Horne
Westmount Baptist Church**
- 3. Presentations:**
 - (a) The Great Red Cross Municipal Employees Challenge Plaque
Brad Gowland, Recruiting Co-ordinator, Red Cross Society**
 - (b) Hamilton Lapel Pins to the Hamilton Sledge Hockey Association
Bruce Mair, Coach and President**
- 4. Adoption of the minutes of the meeting held 1996 February 27.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
 - (e) Report of His Worship Mayor R. M. Morrow**
- 7. Notice of Motion from previous meeting - Alderman V. Agro**
- 8. Notices of Motion for next meeting.**
- 9. Question Period.**
- 10. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 February 27
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

The Reverend Hugh Reid, Ryerson United Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 February 13 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Appreciation to the following:

- (a) Ernest Kennish for a park bench donation
- (b) John Norris for a park sign donation
- (c) Paul and Christine Pielechatys for a site landscaping donation

Mayor R. M. Morrow presented a Certificate of Recognition to Sharon Dale Charters - Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Housing Company Limited.

CORRESPONDENCE

1. Application dated 1996 February 13 from Edward Lorne Richter, Ronald Garry Richter, Lowell Elliott Richter for a modification to the "JJ" (Restricted Light Industrial) District for 244 Lake Avenue North, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRD REPORT

Section 1 Re: 2001 Canada Summer Games Bid Committee

Alderman T. Anderson declared a personal interest in, took no part in the debate and refrained from voting on this matter. A member of Alderman Anderson's family is involved.

* * * * *

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Section 1 of the Third Report of the Parks and Recreation Committee for 1996 be amended by deleting Sub-Section (d) and replacing sub-sections (b) and (c) with the following in lieu thereof, and that Sub-Sections (e) and (f) be reidentified as Sub-Sections (d) and (e):

- (b) That Section 1, Sub-Section (a) of the Fifteenth Report of the Parks and Recreation Committee for 1995, adopted by City Council at its meeting held 1995 July 11 be rescinded and replaced as follows:

" That the 2001 Canada Summer Games Bid Committee be authorized to proceed with the preparation of a bid package for the City of Hamilton to host the Canada Games in 2001 at a cost not to exceed \$140,000. and that City of Hamilton funding totalling \$130,000. be provided from Account No. CH55201 77008 (\$42,000. - International Children's Games Surplus); Account No. 55201 78211 (\$25,000. - Culture and Recreation 1996 Current Budget); Account No. 55201 78211 (\$15,000. - Culture and Recreation 1997 Current Budget); and Account No. CF709355009 (\$48,000. - Hamilton Aquatic Centre Study); and,"

- (c) That funds in the amount of \$15,000. from Account No. 55201 78211 be utilized to offset the cost of the Hamilton Delegation participating in the 1996 International Children's Games in Sopron, Hungary; and,

Section 1 Re: 2001 Canada Summer Games Bid Committee

Recorded vote on amendment.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

* * * * *

Section 1 Re: 2001 Canada Summer Games Bid Committee

Recorded vote on Section 1 as amended.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

* * * * *

Section 7 Re: Public Art Programme - Sesquiscene

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch. -5.

NAYS: Aldermen Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 12. **LOST.**

* * * * *

Section 14 Re: Crystal Palace Project

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Mayor Morrow. -1. **CARRIED.**

<p>PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT</p>

Section 7 Re: APA National Planning Conference

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Kiss. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

Section 9 Re: Hamilton Corporate Challenge

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

* * * * *

Section 11 Re: Licence By-law 93-069, Schedule 4 - rear window advertising in taxicabs

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Kiss, Copps -2.

CARRIED.

Section 13 Re: Commonwealth Square - portable signs

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 13 of the Fourth Report of the Finance and Administration Committee be referred back. **CARRIED.**

RULE NO. 9

Section 17 Re: Rule 9 - 1996 Provincial Federation of Ontario Firefighters Convention

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the placing of a greeting in the Program for the 1996 Provincial Federation of Ontario Firefighters Convention. **CARRIED.**

* * * * *

Section 17 Re: 1996 Provincial Federation of Ontario Firefighters Convention

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 17 of the Fourth Report for 1996 of the Finance and Administration Committee:

17. (a) That a half-page greeting from the City of Hamilton be placed in the 1996 Provincial Federation of Ontario Firefighters Convention Program to welcome delegates to this Convention which will be held 1996 June 2 - 6 in Hamilton, at a cost not to exceed \$350; and,
- (b) That funds for this expenditure be provided from Account No. CH56302-12001 (Advertising and Promotion). **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

RESOLUTION FROM PREVIOUS MEETING

(from February 13, 1996 meeting of City Council)

Section 12 Re: Juno Awards - municipal significance

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 12 of the Second Report for 1996 of the Finance and Administration Committee respecting extension of hours for the Hamilton Music Scene '96 Festival, which was approved by City Council at its meeting held Tuesday, 1996 February 13th be amended to delete sub-section (b)(xii) for the Lazy Flamingo, and insert in lieu thereof the following: "Little Nashville Saloon - 222 Cannon Street East".

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

NOMINATING COMMITTEE - THIRD REPORT

(Elect Chairman of the Committee of the Whole)

COMMITTEE OF THE WHOLE - SECOND REPORT

User Fees, Dog Licence Fees,
1996 Revenue and Expenditures
Days of Protest
Canada/Ontario Infrastructure Program

Section 1 Re: Culture and Recreation Department User Fees

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Mayor Morrow. -1.

CARRIED.

* * * * *

Section 5 Re: 1996 Revenue and Expenditures

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan. -3. **CARRIED.**

* * * * *

Re: Rule 9 - Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting costs incurred as a result of the 1996 Days of Protest. **CARRIED.**

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 6 of the Second Report of the Committee of the Whole for 1996:

6. That the City of Hamilton's direct costs of \$36,734.25 resulting from the February 23 and 24, 1996 Days of Protest rallies and parades be charged to the organizers of this event. **CARRIED.**

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 6 of the Second Report of the Committee of the Whole respecting the Days of Protest be amended by adding the following as sub-section (b):

"That this matter be referred to the City Solicitor for collection."

CARRIED.

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 6 of the Second Report of the Committee of the Whole for 1996 respecting the Days of Protest be referred to the Finance and Administration Committee. **CARRIED.**

* * * * *

Rule 9 Re: Canada\Ontario Infrastructure Program

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting the Canada/Ontario Infrastructure Program.

* * * * *

Section 7 Re: Canada\Ontario Infrastructure Program

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 7 of the Second Report of the Committee of the Whole for 1996:

- (a) That the following projects be advanced and included as part of the new application to the Canada/Ontario Infrastructure Program, replacing the Co-Generation Project which was removed by Council January 9, 1996, and that the Treasurer be authorized to reduce the 1997 through 2002 Capital Forecasts by the amounts noted.

CANADA/ONTARIO INFRASTRUCTURE WORKS
PROPOSED PROJECTS

	<u>Project No.</u>	<u>Description</u>	<u>Advanced From</u>	<u>Gross Cost</u>	<u>Annual Operating Cost</u>
1)	24.2	Energy Management Project	1998	\$ 100,000	\$(20,000)
2)	24.3	Energy Management Project	1999	200,000	(40,000)
3)	24.4	Energy Management Project	2000	200,000	(40,000)
4)	16.0	City Hall - Replace Existing Chillers and Associated Equipment	1998	340,000	(30,000)

5)	83.0	Construction & Maintenance of City's Parking Lots and Pathways (Appendix "A")	Additional	100,000	0
6)	84.1	"	1997	50,000	0
7)	84.2	"	1998	50,000	0
8)	84.3	"	1999	50,000	0
9)	84.4	"	2000	50,000	0
10)	56.0	Renovate the Fire Station at Woodward and Melvin	2002	200,000	0
11)	New	Construction & Maintenance of City's Parking Lots and Pathways (Appendix "B")	Additional	300,000	0
12)	New	Playstructure Redevelopment	Additional	300,000	0
				<u>\$1,940,000</u>	

- (b) That the City's cost of the financing arrangements as previously report to the Committee of the Whole on 1996 January 30 being the gross cost of \$6,064,500. less Federal/Provincial share of \$4,043,000. in the amount of \$2,021,500. now be financed by the issuance of debenture amounting to \$1,654,833. and \$366,667. from the Reserve for Debt Charges and correspondingly the debenture authorization of the Co-Generation project be reduced as follows:

Description	Gross Cost	Federal/ Provincial Share	City's Share	Financing		Co-Generation Debenture Authority to be Reduced
				Debenture	Reserve for Debt Charge	
1) Energy Management Project	\$ 500,000	\$ 333,333	\$ 166,667	\$	\$ 166,667	\$ 166,667
2) City Hall - Replace Existing Chillers and Associated Equipment	340,000	226,667	113,333	113,333		113,333
3) Construction & Maintenance of City's Parking Lots and pathways (Appendix "A")	300,000	200,000	100,000		100,000	100,000
4) Renovate the Fire Station at Woodward and Melvin	200,000	133,333	66,667	66,667		66,667
5) Construction & Maintenance of City's Parking Lots and Pathways (Appendix "B")	300,000	200,000	100,000		100,000	100,000
6) Playstructure Redevelopment	<u>300,000</u>	<u>200,000</u>	<u>100,000</u>	<u>100,000</u>		<u>100,000</u>
	\$1,940,000	\$1,293,333	\$ 646,667	\$ 280,000	\$366,667	\$ 646,667
7) Roadway & Sidewalk Reconstruction Program (Detailed project approved by Council 1996 January 30)	<u>\$4,124,500</u>	<u>\$2,749,667</u>	<u>\$1,374,833</u>	<u>\$1,374,833</u>		<u>\$1,374,833</u>
	<u>\$6,064,500</u>	<u>\$4,043,000</u>	<u>\$2,021,500</u>	<u>\$1,654,833</u>	<u>\$366,667</u>	<u>\$2,021,500</u>

- (c) That the City Solicitor be authorized to prepare the amendments to the appropriate by-law to reflect the revision of debenture authorization noted in (b) above.
- (d) That the Development of a Hamilton Fire Service Master Plan be endorsed and that staff report to Committee and Council, outlining the process.

CARRIED.

<p>ACTING MAYOR FOR THE MONTH OF MARCH, 1996</p>

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Wilson be appointed as Acting Mayor for the month of March, 1996. **CARRIED.**

<p>NOTICE OF MOTION FOR NEXT MEETING</p>

Alderman V. J. Agro gave notice that he would move at the next regular meeting of City Council the following:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 February 27

JJS/dg

CORRESPONDENCE

Correspondence:

1. Petition in the form of 68 cards from the Journal of Architectural Conservancy of Ontario urging that Victoria Hall not be demolished.

Recommendation: Be Received.

2. Letter from S. G. Hollowell, Acting City Clerk advising of an objection to By-law No. 96-006 respecting property at 412 Aberdeen Avenue, Hamilton, Ontario.

Recommendation: Be Received.

Sample: 1 of 68 cards

1.

Fall 1995

FEB 16 1996

Dear Messrs. and Mesdames:

I would like to speak to the issue of conserving Victoria Hall.

Victoria Hall, a property designated under the Ontario Heritage Act and a national historic site, is worthy of every effort of conservation on three grounds. First, it is a rare surviving example in Canada of sheet-metal facade construction. In addition, it contributes to the heritage character of downtown Gore Park and environs. Furthermore, it has the potential for revitalization with the opening of the nearby new Hamilton Courthouse.

I urge you to do all in your power to prevent the demolition of Victoria Hall.

A. A. Blomme
Signature

This card produced by The Architectural Conservancy of Ontario Inc.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. That the City's policy regarding the recovery of servicing costs based on the actual property frontage adjacent to a 0.30 metre reserve be waived (without prejudice) with regard to the recovery of outstanding servicing costs adjacent to Parts 5 and 9 on Plan 62R-13294 and that the owner's request to pay outstanding servicing costs based on the perpendicular width of the property, be approved.
2. That a "No Stopping" regulation be implemented on the south side of Greenhill Avenue commencing 102 feet west of the west curb line of Kimberly Drive and extending 79 feet east of the east curb line of Kimberly Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Robinson Street which commences 260 feet east of MacNab Street South and extends easterly to James Street South, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That a "No Parking" regulation be implemented on the west side of Dundurn Street South commencing at a point 46 feet north of Glenside Avenue and extending to a point 20 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Churchill Avenue from Buchanan Street to the easterly limits of Churchill Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That the existing "No Stopping" regulation on the east side of Ambrose Avenue which commences at Greenhill Avenue and extends to a point 169 feet northerly therefrom, be shortened such that the regulation commences at Greenhill Avenue and extends 40 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That northbound traffic on Harmony Avenue be required to stop for eastbound and westbound traffic on Dunbar Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That four-way stop control be implemented at the intersection of Brentwood Drive and Sandalwood Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "Permit Parking" regulation on the south side of Mars Avenue commencing at a point 163 feet east of Emerald Street North and extending to a point 20 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the application of Hugh Whyte, Treasurer of the Kensington Gospel Hall, No. 162 1/2 Kensington Avenue, to lease a portion of the east boulevard of Kensington Avenue adjacent to No. 162 1/2 Kensington Avenue be approved, provided that:
 - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current rate is \$62.40 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14; and,
 - (c) the owner pays a one time \$219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,

- (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
11. That, in accordance with Section 15(1) of the Police Services Act, 1990, Terry Paul be appointed as a Parking Control Officer.
12. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved during the pleasure of Council, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
13. That the application of E. Adams, owner of No. 193 Cavell Avenue, to erect and maintain the encroachment of a concrete pad measuring 5' X 5' onto the road allowance of Cavell Avenue, be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That suitable arrangements be made between the applicant and Hamilton Hydro to cover future relocation expenses for the removal of the encroachment; and,
 - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,

- (d) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment.
14. (a) That an Offer to Purchase, duly executed by Christian Horizons (Noel Churchman, Executive Director), on 1995 December 8 and scheduled for closing on or before 1996 May 3 for the lands being Part of Lot 11, Concession 6 in the Geographic Township of Barton, all of Reserve "B" Registered Plan 1209 in the City of Hamilton, being more specifically described as the 1 Foot Reserve shown as Part 1 on Plan 62R-11979, containing an area of 0.002 ha. (215.3 square feet) more or less and located on the southerly limit of Millwood Place and the easterly limit of Fieldway Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-law No. 95-049 enacted 1995 February 14 have been fulfilled by the City and the funds derived from the sale of \$2. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and; and,
- (b) That the Mayor and City Clerk be authorized to execute the necessary documents; and,
- (c) That in accordance with The Real Property Sales Procedural By-law No. 95-049:
- (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
15. That the existing "No Stopping 4:00 p.m. - 6:00 p.m., Monday to Friday" regulation on the north side of King Street West from Paradise Road to Sterling Street be rescinded on a six month trial basis and that the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That in accordance with the Provincial Government's 3 Rs Regulations which mandate leaf and yard waste composting, the Commissioner of Public Works and Traffic be authorized to implement a two month public program on a proposed leaf and yard waste collection program based on consultation/education with the following criteria:

- (i) Leaf and yard waste will be collected separately from regular household garbage and recyclables; and,
 - (ii) The collection period will be from April 15th to December 15th and a Christmas tree collection in January; and,
 - (iii) Collection will be on an every other week basis with collection days designated as per the attached Route Map Appendix "B"; and,
 - (iv) There will be no leaf and yard waste collection for statutory holidays nor will there be "make up" days for lost statutory day collections; and,
 - (v) Leaf and yard waste will only be collected when properly placed at curbside and packaged in clear plastic bags with a thickness of at least 1.5 thousandths of an inch, not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or compostable paper bags not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or in suitable reusable garbage cans/containers designated by the official leaf and yard waste logo as illustrated in Appendix "C"; or in the case of brush and garden debris tied in compact bundles not more than four feet in length; and,
 - (vi) The Department of Public Works and Traffic will make available and distribute through the mail, vinyl stick on leaf and yard waste logos for use by residents in designating specific reusable containers for leaf and yard waste, on a request basis and for an amount of \$1. each sticker; and,
 - (vii) Leaf and yard waste will not be collected in alleyways but rather at curbside or off road sites approved through separate collection agreements; and,
 - (viii) Each individual "lift" of leaf and yard waste ie. each bag or container of material shall not exceed 50 lbs or 22 kg; and,
 - (ix) Grass clippings will not be collected. Property owners will be encouraged to recycle grass clippings onto their lawn, or compost grass clippings or take them directly to their local transfer stations; and,
- (b) That the Commissioner of Public Works and Traffic be directed to report back on the issue at the 1996 May 6 Transport and Environment Committee meeting.

17. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

<u>Item</u>	<u>Maximum Charge per Metre of Frontage</u>	
	<u>Existing 1995</u>	<u>Proposed 1996</u>
(i) Curb Only	\$ 72.00	\$ 79.00
(ii) Sidewalks Only	\$115.00	\$101.00
(iii) Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$158.00	\$151.00
(iv) Roadway Only	\$257.00	\$260.00
(v) Alleys	\$107.00	\$107.00
(vi) Roadway and Curbs only (Industrial Subdivisions)	\$328.00	\$349.00

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.
18. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB dechlorination for The Spectator at 44 Frid Street, Hamilton, Ontario; and,
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of Environment and Energy be waived so that the proposed work can be carried out as scheduled.
19. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the Region's request to amend the Provisional Certificates of Approval Nos. A130110 and A130111 for waste disposal sites (Transfer) located at No. 460 Kenora Avenue and No. 37 Kilbride Road, Hamilton, respectively, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the MOEE, and that all applicable City of Hamilton By-laws are complied with fully; and,

1996 March 12

- (b) That a copy of this report be forwarded to the West Central Branch of the MOEE for their consideration in the amendment of the existing Provisional Certificate of Approval which would apply to the operation of the two (2) Hamilton based Waste Transfer Stations owned by the Region of Hamilton-Wentworth and operated by Laidlaw Energy Technologies Ltd.

20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-9 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-10 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-11 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 March 4

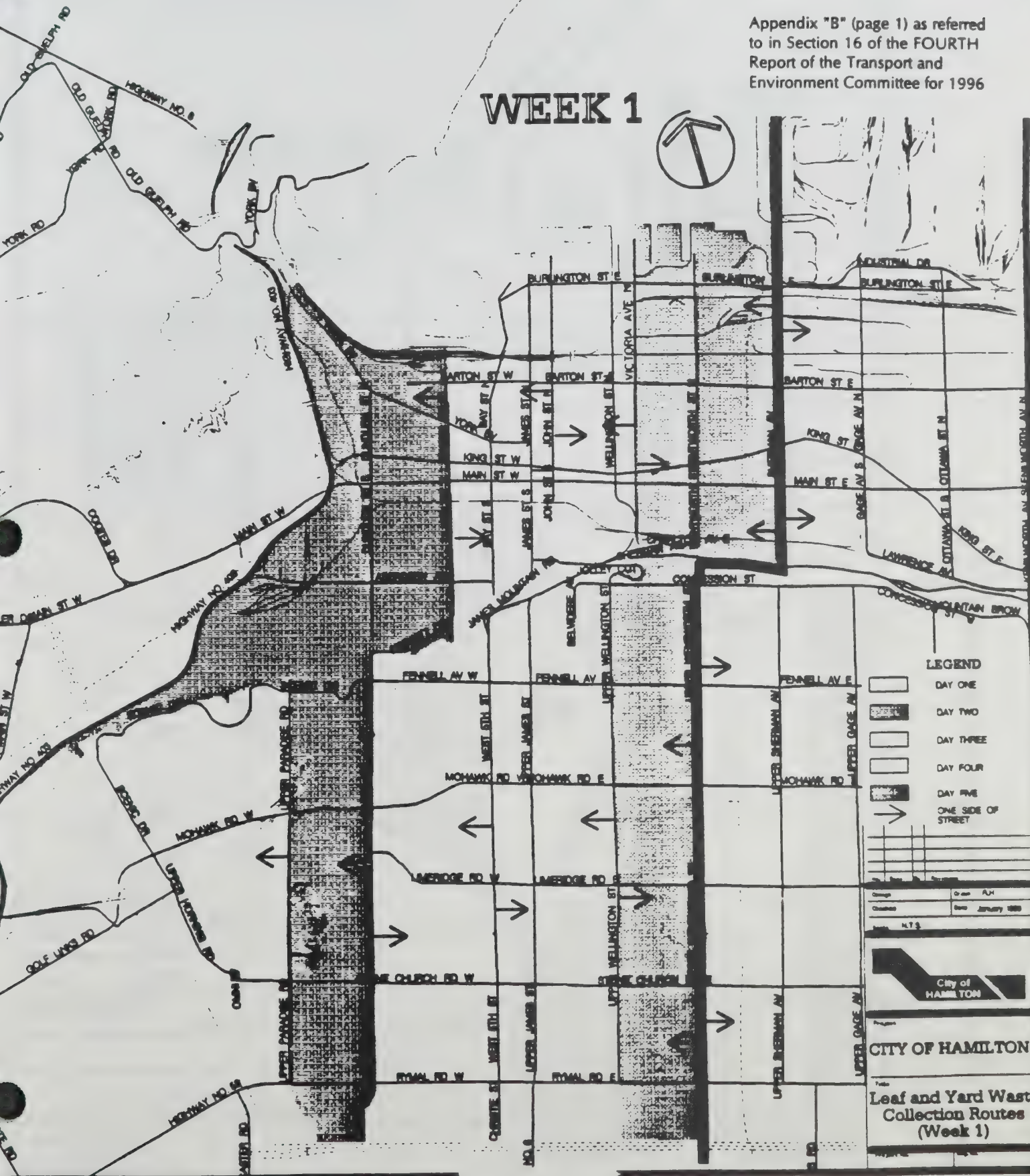
Appendix "A" as referred to in
Section 12 of the FOURTH Report
of the Transport and Environment
Committee for 1996

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>
Cope Street	88 Cope Street	G.G. & R. Wells	Portion of front steps measuring 1.219m x 0.610m	138/20
Roxborough	127 Fairfield Avenue	L. Therrien	Portion of a frame shed measuring 2.377m x 2.286m x	
Webber Avenue and Victoria Avenue	2 and 4 Webber Avenue	B. Szajman	Portion of retaining wall measuring 13.411m x 1.256m encroaching onto Victoria Ave Steps measuring 3.2m x 1.655m encroaching onto Webber Ave	138/20
Glendale Avenue	155 Glendale Avenue	G.G. Hillier	Portion of concrete steps measuring 0.229m x 0.838m	138/20
Robert Street	310 Robert Street	M. Balfour	Portion of building measuring 0.30m x 6.70m and veranda & steps measuring 0.30m x 2.01m	138/20
Murray Street	94 Murray Street	S. & G. Marrone	Portion of concrete steps measuring 0.573m x 0.914m	138/20
Bowen Street	55 John Street South	1165270 Ontario Ltd.	Portion of concrete rear wall of building measuring 0.183m x 4.974m	138/20

Week 1
Week 2
Dividing Line

Appendix "B" (page 1) as referred to in Section 16 of the FOURTH Report of the Transport and Environment Committee for 1996

WEEK 1



WEEK 2





SIZE APPROX. 16" (.40 m) DIAMETER



Project **LEAF & YARD WASTE
COMPOSTING PROGRAM**

Title **DECAL FOR OTHER PUBLIC
WORKS VEHICLES**

Date **SEPT. 1994**

Scale **N.T.S.**

Dwg. No.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-31, Metropolitan Hamilton Real Estate Board, owner, for a further modification to the established "L-mr-2" (Planned Development - Multiple Residential) District regulations, to permit the temporary use of lands for a Public Parking Lot for a period of 3 years, under Section 39 of the Planning Act, for property located at 39-41 Devonport Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the "L-mr-2" (Planned Development - Multiple Residential) District regulations as contained in Section 17B(6)(a)(iii) of Zoning By-law No. 6593, as amended by By-law Nos. 90-272, 82-225 and 80-278, be further modified to in accordance with Section 39 of the Planning Act, to permit the temporary use of the lands for the parking of motor vehicles, accessory to the use of the land at No. 505 York Boulevard, for a period not exceeding three-years from the day of the passing of the By-law;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-717c, and that the subject lands on Zoning District Map W-11 be notated S-717c;
 - (iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council;
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending Zoning By-law not be forwarded for passage by City Council until such time as the owner has entered into the necessary landscaping and encroachment agreements with the City of Hamilton.

2. A. Notwithstanding the vacancy rate for rental apartment units, and specifically for two-bedroom units, is less than 2 percent, Application CD-95-012, under the Rental Housing Protection Act, 445797 Ontario Inc. (Darko Vranich), owner, for conversion of 59 rental apartment units to condominium units for the property located at 81 Charlton Avenue East, be approved due to the following extenuating circumstances:
 - (a) the building has had a large number of vacancies over the past five years and by the end of February, all the units will be vacant;
 - (b) the building requires extensive renovations to make it habitable; and,
 - (c) it provides the opportunity for affordable ownership housing in close proximity to the downtown.
- B. The following conditions should be included as part of the approval of Application CD-95-012, under the Rental Housing Protection Act, 445797 Ontario Inc. (Darko Vranich), owner, :
 - (a) That this RHPA approval shall cease and be at an end,
 - (i) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
 - (b) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the City Solicitor, incorporating the City's conditions of approval listed herein and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
 - (c) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;

- (d) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (e) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
 - (f) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
3. That the Purchasing Manager be authorized and directed to issue an Open Order to Oakridge Landscape Contractors Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C18-1-96, to provide final lot grading and sodding as and when required during 1996 in various subdivisions, being the lowest of three quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.
4. (a) That the Building Commissioner be authorized to issue a demolition permit for 120 Wilson Street, once the owner obtains a building permit and has registered on title to the land an Agreement with the City, whereby the owner agrees to construct and substantially complete a new building on the site within two years from the day demolition of the existing residential building is commenced; and,
- (b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for the single family dwelling unit in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act; and,
- (c) That the owner's lawyer shall prepare and register the Agreement at the owner's expense in a form satisfactory to the City Solicitor, against the land.
5. That the Building Commissioner be authorized to issue a demolition permit for 107 Graham Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
6. That the Building Commissioner be authorized to issue a demolition permit for 93 Niagara Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings regarding appeals to the following Committee of Adjustment decisions:
 - (a) to deny application A-95-258 respecting property located at 550 Fennell Avenue East; and,
 - (b) to deny application A-95-278 respecting property located at 1379 Upper James Street.
8. That the City, through the Department of Planning and Development, apply on behalf of Christ's Church Cathedral for the Technical Consulting Service offered by the Ontario Historical Society in co-operation with the Ministry of Citizenship, Culture and Recreation for the purpose of repairing the large stained-glass window on the east wall of the chancel.
9. That the 1996 April 24 meeting of the Planning and Development Committee be rescheduled to 1996 April 17 at 9:30 a.m. in Room 233, City Hall.
10. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-08 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 93-190 Respecting Lands Located at Municipal Nos. 236-250 Rymal Road West.
 - (b) C-09 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-43 Respecting Land Located at Municipal No. 1050 Rymal Road East.
 - (c) C-10 A By-law to amend Zoning By-law No. 6593 Respecting Special Requirements for Front Yard Landscaping.
 - (d) C-11 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-311 Respecting Lands Located West of Garth Street and North of Gisele Drive, known Municipally as No. 1600 Garth Street.
 - (e) C-12 A By-law to amend Zoning By-law No. 6593 Respecting Parking Standards for Residential Conversions in the Central Business District

1996 March 12

- (f) C-13 A By-law to revise the Concession Community Improvement Plan, the Downtown Hamilton Community Improvement Plan, the International Village Community Improvement Plan, the Main Street West Community Improvement Plan, the Ottawa Street North Community Improvement Plan, the Westdale Village community Improvement Plan.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 March 6**

1996 March 12

Appendix "A" referred to in
Section 1. (a) of the **FOURTH** Report
of the Planning and Development
Committee for 1996.



Legend



Site of the Application



APPENDIX "A"

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 5970/94 by the payment to the Plaintiffs Joan, Gordon, Tanya and Craig Vacon of the sum of Three Thousand Dollars (\$3,000.) inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 5970/94 be dismissed without costs.
2.
 - (a) That the City resolve Ontario Court (General Division) Action No. 6090/94 by the payment to the Plaintiff Susan Breckon of the sum of Two Thousand Four Hundred Dollars (\$2,400.), inclusive of all claims for damages, interest and costs; and,
 - (b) That the plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6090/94 be dismissed without costs.
3. That approval be given to the action taken by the City Clerk in authorizing the Culture and Recreation Department to use the Council Chamber on Saturday, 1996 February 17 from 9:00 o'clock a.m. until 1:00 o'clock p.m. for the Community Infrastructure Study.
4. That approval be given to the request of the Hamilton Area House of Prayer to use the Council Chamber on Saturday, 1996 April 20 from 9:00 o'clock a.m. to 4:30 o'clock p.m. for a Day of Prayer Service.

5. That approval be given to the request of Hamilton Sesquicentennial Celebrations Inc. to use the Forecourt and Meeting Rooms 264 and 219, from 7:00 o'clock a.m. until 5:00 o'clock p.m., and the Council Chamber Balcony from 9:00 o'clock a.m. until 3:00 o'clock p.m., on Friday, 1996 July 12 for a Summer Birthday Celebration.
6. (a) That Schedule 15 of City of Hamilton Licencing Code 1993, being By-law 93-069 as amended, be further amended as follows:
 - (i) The definition of "Public Hall" be replaced with the following:

"Public Hall" means premises or a part thereof, including a portable building or tent, used as a place of assembly which is operated as a business, where members of the public gather for the purpose of any meeting, dancing or entertainment, but does not include premises used solely for religious purposes or a theatre within the meaning of the Theatres Act, R.S.O. 1990, c. T-6, as amended; and,
 - (ii) Section 3, which required the licence certificate to include the maximum capacity of the hall, be repealed; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary by-law amendment.
7. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 February 22, attached herewith and marked Appendix "A", be approved.
8. That the City Solicitor be authorized and directed to prepare amendments to By-Law 10777 to delete in Article 4, the words "with the exception of the Fire Chief".
9. (a) That the City quit claim and release a triangular parcel of land measuring approximately 1 metre by 29 metres (Part 2, Plan 62R-6632) between 242 and 244 Emerald Street North to Linda DeRosa, the owner of 244 Emerald Street North; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the Quit Claim Deed prepared in a form satisfactory to the City Solicitor.
10. That the 1996 April 23rd meeting of the Finance and Administration Committee be rescheduled to 1996 April 16th at 1:30 o'clock p.m. in Room 233, City Hall.

1996 March 12

11. (a) That the City exercise its option and renew the Service Agreement (Ref: C15-1-92) for 1996 with Sunshine Building Maintenance Inc. of Burlington, Ontario to provide caretaking services, in accordance with the specifications issued by the Purchasing Division, at MacNab, Dalewood, Ryerson and Westmount Recreation Centres in the amount of \$118,787.59 inclusive of GST (\$7,771.15); and,
 - (b) That the City exercise its option to renew the Service Agreement (Ref: C15-1-92) for 1996 with Alpha Cleaning Services Hamilton Inc. of Hamilton, Ontario to provide caretaking services, in accordance with the specifications issued by the Purchasing Division, at Bennetto, Norman "Pinky" Lewis, Churchill and Hillpark Recreation Centres in the amount of \$114,181.37 inclusive of GST (\$7,469.81); and,
 - (c) That a further option to extend for one additional year (1997) be available to the City to review at or near the end of 1996 at which time the appropriate recommendation will be brought forward to Committee and Council for the necessary approval.
12. That portable signs not be permitted on the property known as Commonwealth Square without Council approval, with the exception of the signboard currently in place at the corner of Summer's Lane and Main Street West, which is controlled by the Hamilton Parking Authority.
13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-11 A By-law to Amend By-law No. 10777 to Authorize Participation in the Ontario Municipal Employees Retirement System.
 - (b) D-12 A By-law to Amend Licensing By-law No. 93-069 respecting Licence Fees.
 - (c) D-13 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Tina Agnello
Acting Secretary
1996 March 5**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Andrea Ciparis	I	Sales Co-ordinator/ Secretary (8)	H.E.C.F.I.	Replacing Ms. C. Bogie - transferred, Dec. 06/95	\$25,061.40 to \$29,260.92	Feb. 05/96

Prepared February 22, 1996

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Brian Allick	Manager Field Services	Building	Retired	22 years, 9 months	Feb. 29/96

Prepared February 22, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

1996 March 12

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1996 and respectfully recommends:

1. That Alderman Marvin Caplan be appointed as a Council Representative to serve on the Mayor's Committee Against Racism and Discrimination for a term to expire 1997 November 30; and,
2. That Eleanor Rodney be appointed as a Citizen Member to serve on the Mayor's Advisory Council Against Racism and Discrimination, to fill a vacancy created by a resigning member, for a term to expire 1997 November 30.

RESPECTFULLY SUBMITTED

Mayor Robert M. Morrow
Mayor

Stella Glover,
Secretary

1996 February 26

**NOTICES OF MOTION
FROM PREVIOUS MEETING**

NOTICE OF MOTION FOR NEXT MEETING - MARCH 12, 1996

(Notice given - February 27, 1996)

Alderman V. J. Agro gave notice that he would move at the next regular meeting of City Council the following:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 MARCH 12
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas) of By-law 89-72 To Regulate Traffic** passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Greenhill	South	commencing 120 feet west of the west curb line of Kimberly and extending 79 feet east of the east curb line of Kimberly	Anytime	
Churchill	North	Buchanan to the easterly limit of Churchill	8 a.m. - 5 p.m.	Mon - Fri
Ambrose	East	Greenhill to a point 40 feet northerly therefrom	Anytime	
Dundurn	West	Glenside to a point 46 feet northerly therefrom	Anytime."	

and by deleting therefrom the following items, namely:-

"King	North	Cline to Sterling	4 - 6 p.m.	Mon - Fri
Robinson	South	From 250 ft. east of MacNab to James	4 - 6 p.m.	Mon - Fri
Ambrose	East	Greenhill to a point 169 feet north	Anytime	
Dundurn	West	Glenside to 66 feet north	Anytime."	

2. **Schedule 10 (Stops at Intersections)** is hereby amended by adding thereto the following items, namely:-

*Harmony	Northbound	Dunbar
Sandalwood	Eastbound and Westbound	Brentwood.*

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Dundurn West from 46 feet north of Glenside
 to 20 feet northerly therefrom Anytime."

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Mars South commencing at a point 163 feet east of
 Emerald to a point 20 feet easterly therefrom Anytime."

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 93-190

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 236-250 RYMAL ROAD WEST

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-190 on the 31st day of August 1993 to change the zoning of the above noted lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board in its Oral Decision delivered on the 26th day of July 1995, (File No. R 930435), directed that By-law No. 93-190 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10.1 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1.(b) of By-law No. 93-190, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding Section 10.1 (2) 2. of Zoning By-law No. 6593, the following yards shall be provided and maintained:

- (i) a front yard of a depth of at least 9.0 metres (29.53 feet); and,
- (ii) for a two family dwelling, where a side yard abuts any other residential district, a side yard of a width of at least 3.0 metres (9.84 feet), along the easterly and westerly lot lines of Block 2.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-2" District provisions, subject to the special requirement referred to in section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1346.

4. Sheets No. W-17D and W-17E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1346.

5. In all other respects, By-law No. 93-190 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1996

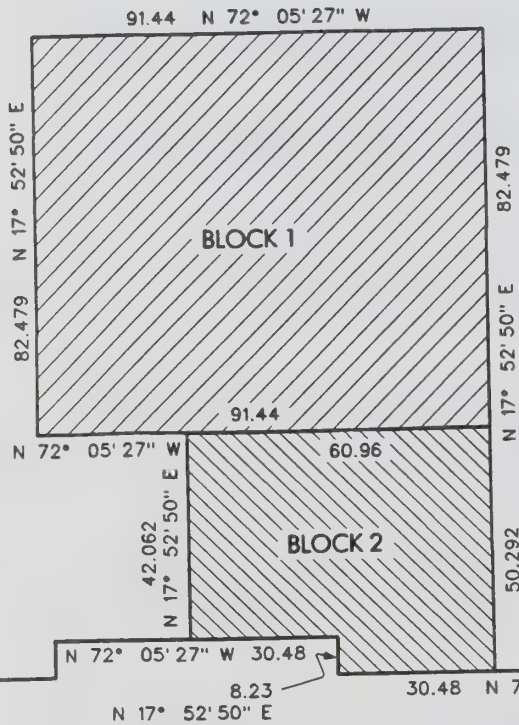
CITY CLERK

MAYOR

Decision to Further Amend the Memorandum
of Oral Decision and Amending Order of
the Ontario Municipal Board,
delivered on the 26th day of July 1995
Ascenzo Lepore, Owner
Amended ZA-89-57

LOT 17

LOT 16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 -.....
Passed the day of, 199

.....
Clerk

.....
Mayor

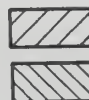
City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....
to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated
by By-Law no.

North



Scale
Not to Scale

Date
OCTOBER 1995

Reference File No.
ZA-89-57 Amended

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 90-43

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1050 RYMAL ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-43 on the 13th day of February 1990 to establish a special requirements under Section 19B of Zoning By-law No. 6593, for the "M-12" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 2nd Report of the Planning and Development Committee at its meeting held on the 13th day of February 1996, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-43 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-12" (Prestige Industrial) District provisions, as contained in Section 17D of Zoning By-law No. 6593, as amended by By-law No. 90-43, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17D.(1)(d) of By-law No. 6593, the following is permitted:
 - (i) a restaurant accessory to the existing banquet facility and catering business with a maximum seating capacity of 30 persons, only within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-12" District provisions, subject to the special requirements referred to in section 1 of By-law No. 90-43 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1154a.

4. Sheet No. E-49E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1154a.

5. In all other respects, By-law No. 90-43 is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

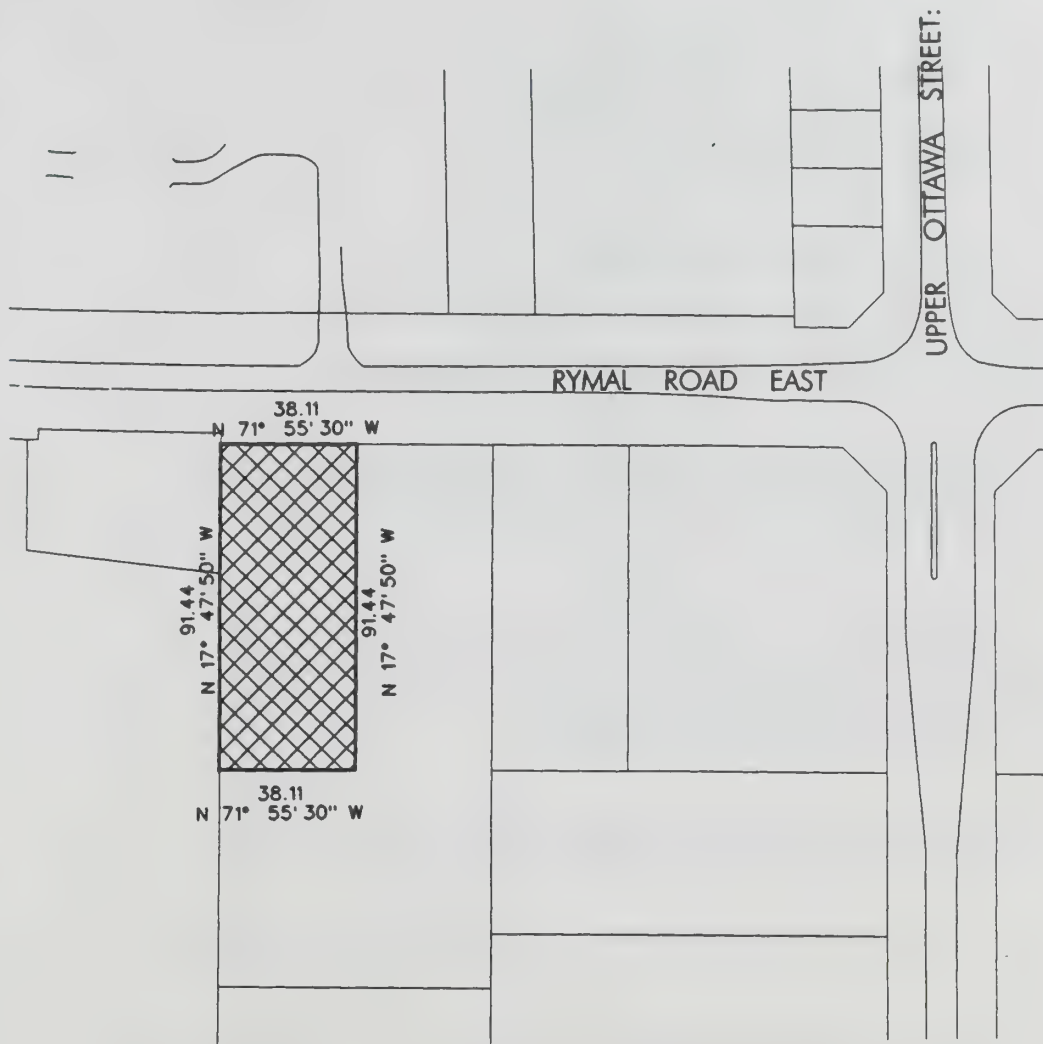
PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 2 R.P.D.C. 1, February 13
Peter Georgakopoulos, Owner
ZAR-95-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-_____

to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 96-.....

North

Scale
NOT TO SCALE

Date
February 1996

Reference File No.
ZAR-95-29

Drawn By
William Braithwaite

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

SPECIAL REQUIREMENTS FOR FRONT YARD LANDSCAPING

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 2nd Report of the Planning and Development Committee at its meeting held on the 13th day of February 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to special requirements for front yard landscaping, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 18 - Supplementary Requirements and Modifications of Zoning By-law No. 6593 is amended to include a new section as follows:

"SPECIAL REQUIREMENTS FOR FRONT YARD LANDSCAPING

18.(14) Notwithstanding any other provisions of this by-law, for any single-family dwelling, two-family dwelling or three-family dwelling:

- (i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials;
- (ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:
 - (a) unenclosed entrance porches;
 - (b) vestibules;
 - (c) ramps;
 - (d) front steps;
 - (e) chimneys;

- (f) bay windows;
 - (g) ornamental projections;
 - (h) terraces;
 - (i) platforms; and,
 - (j) a walkway between the front entrance of the principle building and the front lot line or driveway with a maximum width of 0.6 m;
- (iii) Notwithstanding clause 14.(i), in cases where at least half of the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:
- a) a driveway between the front entrance of the garage and the front lot line with a maximum width of:
 - 1) 3.0 m for each door of a one, two or three car garage; or,
 - 2) 5.5 m for a double door of a two car garage; and,
 - b) a walkway between the front entrance of the principle dwelling and the front lot line or driveway with a maximum width of 0.6 m,

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel, pavers, or other similar materials."

2. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1996

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 90-311

Respecting:

**LANDS LOCATED WEST OF GARTH STREET AND NORTH OF GISELE DRIVE,
KNOWN MUNICIPALLY AS NO. 1600 GARTH STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-311 on the 13th day of November 1990 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District and "RT-20" District, in respect of the land located at Municipal No. 480 Rymal Road West, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-165 on the 30th day of June 1992 to remove the 'H' symbol in respect of the lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 2nd Report of the Planning and Development Committee at its meeting held on the 13th day of February 1996, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-311, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27D of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "RT-20" (Townhouse - Maisonette) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 3; and
 - (b) by changing from "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 4,

the extent and boundaries of each of which Blocks 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law No. 90-311, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) Section 4.(a) of By-law No. 90-311 is deleted in its entirety;
- (b) notwithstanding Section 10E.(2)(a) of Zoning By-law No. 6593, a townhouse block containing a maximum of 7 single family dwelling units to be used as model units in accordance with the requirements of Section 6.(1) shall be permitted;
- (c) notwithstanding Section 10F.(4)(c)(ii) of Zoning By-law No. 6593, a minimum side yard of 1.75 metres shall be provided and maintained for a Street Townhouse Dwelling, not exceeding two storeys in height; and
- (d) notwithstanding Section 10F.(4)(a) of Zoning By-law No. 6593, a front yard depth of not less than 7.0 m shall be provided and maintained for Block 1.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1195c.

5. Sheet No. W-27D of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 90-311 and in section 1 of this by-law, S-1195c.

6. In all other respects, By-law No. 90-311 is hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

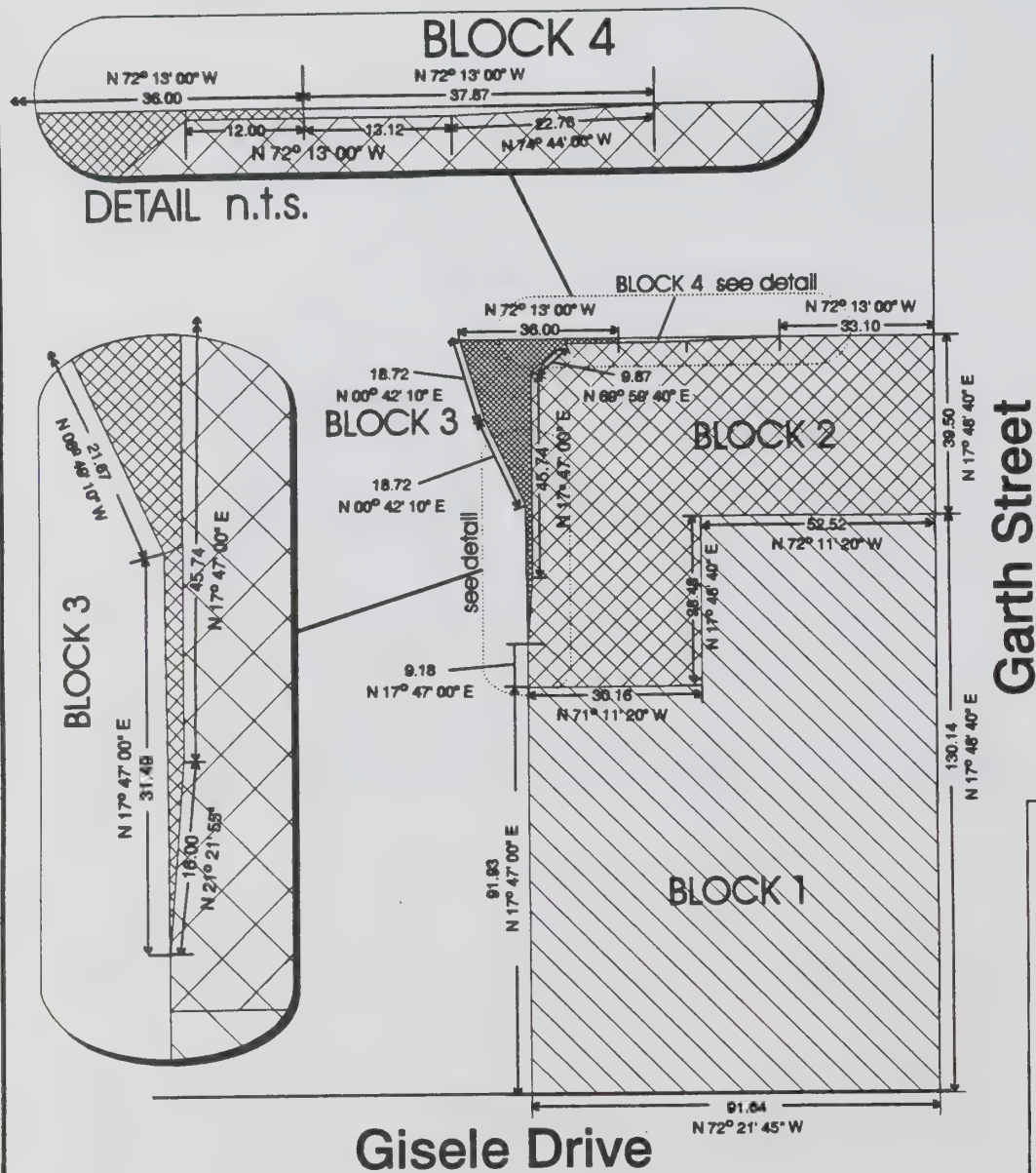
PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 2 R.P.D.C. 2, February 13
80064 Ontario Inc., (A. DiSilvestro), Owner
ZAC-95-27



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLK 1
 Further modification to the established RT-20 (Townhouse - Maisonette) District
- BLK 2
 Further modification to the established RT-20 (Townhouse - Maisonette) District
- BLK 3
 From RT - 20 Townhouse - Maisonette) District modified, to RT - 4* (Small Lots Single Family Dwelling) District.
- BLK 4
 From RT - 20 (Townhouse - Maisonette) District modified, to "C" (Urban Protected Residential, etc.) District

North



Scale
Not to Scale

Date
March 1996

Reference File No.
ZA-95-27

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

**PARKING STANDARDS FOR RESIDENTIAL CONVERSIONS
IN THE CENTRAL BUSINESS DISTRICT**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 3rd Report of the Planning and Development Committee at its meeting held on the 27th day of February 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to parking requirements for residential conversions within the Central Business District, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. **SECTION NINETEEN - RESIDENTIAL CONVERSION REQUIREMENTS** of Zoning By-law No. 6593 is amended to include a new section as follows:

"19. (4) Notwithstanding any other provisions of this by-law, any building or portion thereof existing on the date of the passing of this by-law, located within Area "A" shown on Schedule "I" of Section 18A, may be converted to a residential use except for a Residential Care Facility or Short-Term Care Facility, provided that the ground floor is maintained for commercial use."

2. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Revise:

**THE CONCESSION COMMUNITY IMPROVEMENT PLAN
THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN
THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PLAN
THE MAIN STREET WEST COMMUNITY IMPROVEMENT PLAN
THE OTTAWA STREET NORTH COMMUNITY IMPROVEMENT PLAN
THE WESTDALE VILLAGE COMMUNITY IMPROVEMENT PLAN**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-87 on the 31st day March 1987, to adopt The Concession Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of its respective Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-12 on the 13th day of December 1994, to adopt The Downtown Hamilton Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-11 on the 13th day of December 1994, to adopt The International Village Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-299 on the 30th day October 1990, to adopt The Main Street West Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-88 on the 31st day March 1987, to adopt The Ottawa Street North Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-89 on the 31st day March 1987, to adopt The Westdale Village Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 12th day of December 1995, (Item 6, 23rd Report, Planning and Development Committee), authorized revisions to each of the said Community Improvement Plans;

AND WHEREAS subsection 28(7) of the Planning Act, R.S.O. 1990, c. P.13 states:

"(7) For the purpose of carrying out the community improvement plan, the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan.";

AND WHEREAS the Building Department has held a public meeting on the 8th day of January 1996 and taken other steps required by the Planning Act [subsection 28(4)] prior to the enactment of this by-law to amend the said Community Improvement Plans;

AND WHEREAS it is intended to revise the said Community Improvement Plans for the said areas with the following provisions;

AND WHEREAS the Planning Act states that the approval of the Minister of Municipal Affairs and Housing is required,

- (a) to the by-law adopting a Community Improvement Plan or an amendment thereto; [section 28(4)]; and
- (b) to the City's exercise of any power or authority pursuant to the community improvement provisions of the Planning Act for the purpose of carrying out a community improvement plan, where the exercise of such power or authority would be bonuses prohibited under subsection 111(1) of the Municipal Act, [subsection 28(8), Planning Act].

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The provisions of the Commercial Property Improvement Loan Program set out in Schedule "A" hereto annexed and forming part of this by-law, are hereby adopted as amendments to the following Community Improvement Plans and their respective by-laws which adopted them, set out below:

Concession Community Improvement Plan	-	By-law No. 87-87
Downtown Hamilton Community Improvement Plan	-	By-law No. 95-12
International Village Community Improvement Plan	-	By-law No. 95-11
Main Street West Community Improvement Plan	-	By-law No. 90-299
Ottawa Street North Community Improvement Plan	-	By-law No. 87-88
Westdale Village Community Improvement Plan	-	By-law No. 87-89

2. The Director of Public Works and Traffic is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing,

- (a) for approval, as required by subsection 28(4) of the Planning Act, to this amending by-law adopting these amendments to the said Community Improvement Plans;
- (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister, to permit the City to offer the loans and other assistance at below market rates as provided for in the said Community Improvement Plans, as amended by this amending by-law, that would otherwise be bonuses prohibited by subsection 111(1) of the Municipal Act.

3. This by-law shall come into force and effect on the date the Minister grants the said two approvals.

PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No. 96-

The Community Improvement Plans for the Concession Street, Downtown Hamilton, International Village, Main Street West, Ottawa Street North and Westdale Village **Community Improvement Project Areas**, (hereinafter each of the said Plans may be referred to as the "Community Improvement Plan"), are revised by adding to each Community Improvement Plan the following additional provisions, which additional provisions shall prevail in the event of any conflict with the original terms of such Plan.

1.0 GENERAL

- 1.1 For the purpose of carrying out the Community Improvement Plan, The Corporation of the City of Hamilton may make loans to the registered owners or assessed owners of lands and buildings within the Community Improvement Project Area of the said Community Improvement Plan, to pay for the whole or any part of the cost of the community improvement of any such lands, including the cost of rehabilitating such lands and buildings in conformity with the said Community Improvement Plan and upon the following additional terms and conditions.
- 1.2 Loans are available only to the extent of funds allocated from time to time for those purposes by the Council of The Corporation of the City of Hamilton.
- 1.3 This Loan Program under the Community Improvement provisions of the Planning Act formerly known as the "Commercial Loan Program" is hereby renamed the "Commercial Property Improvement Loan Program".

2.0 REVISED LOAN GUIDELINES

- 2.1 Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one half of the City's prime borrowing rate, amortized for a maximum period of ten years.

The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

- 2.2 These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the said Plan as amended herein;
 - (b) fulfil the objectives of the City expressed in the Community Improvement Plan, as amended herein;
 - (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.

- 2.3 While businesses which are tenants are not, according to the Planning Act, eligible for loans provided for in the Plan as amended herein, loans to eligible property owners for improvements which will also benefit business tenants are provided for in this Plan.
- 2.4 Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of \$45,000. (3 units, \$15,000. each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).
- 2.5 Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,
- (a) a loan maximum of \$30,000. for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,
 - (b) the tenant, if any, accepting in writing the proposed interior improvements.
- 2.6 Loans may be for the following types of improvements and their related expenses:
- exterior building envelope;
 - major building systems, including roof, wiring, plumbing, heating;
 - interior fixtures, including partitions;
 - interior decorating, including lighting, painting, wallpaper, etc.;
 - built-in showcases, freezers, special plumbing, etc.;
 - exterior/interior signage;
 - related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or \$200.;
 - such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

- 2.7 The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage, etc.).
- 2.8 The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.

- 2.9 A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of loan applications.
- 2.10 (a) Each borrower shall give the City a promissory note in respect of each loan; and
- (b) As security for repayment of the loan made by the City, the borrower shall:
- (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;
 - (ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;
 - (iii) where an owner has less than 20% equity in the property being improved,
 - (1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and
 - (2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;
 - (iv) keep in good standing business taxes, realty taxes and B.I.A. levies.
- 2.11 Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend

By-law No. 10777

To Authorize

**PARTICIPATION IN THE
ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM**

WHEREAS By-law No. 10777 was enacted on 1965 June 29;

AND WHEREAS City Council, on 1996 March 12, in adopting Section 8 of the Fifth Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of By-law No. 10777 is repealed and replaced with the following:
 4. The Employer hereby certifies that employees who are employed as Fire Fighters are entitled to retire at an age of 60 years.

PASSED this 12th day of March , 1996.

ACTING CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend Licensing By-law No. 93-069 Respecting:

LICENCE FEES

WHEREAS various trades, businesses and occupations are licensed, regulated and governed under the City of Hamilton Licensing Code 1993, being By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a new range of licence fees for establishment and mobile licences, and a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 3 of Licensing By-law 93-069, is amended by adding a subsection "(1a)" immediately after subsection (1), as follows:

"(1a) In the case of an application for a licence other than a renewal, the lessor of the licence fee or fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity in this subsection, "renewal" means renewal by the current licensee of the previous year's licence."

2. Section 2 of Schedule 32 to Licensing By-law No. 93-069 as amended, is further amended by repealing subsection (2) and replacing it with the following subsections, as subsections "(2)" and "(2a)":

"(2) Subject to (2a), every person required to obtain a licence under this Schedule shall be required to obtain a separate licence and comply with the requirements applicable to each class or licence category, for each class of public garage carried on from the garage.

(2a) In the event a garage requires more than one class of licence under this Schedule, the licensee or applicant shall, as the licence fee, pay only the amount applicable for one licence."

3. Schedule 45 to Licensing By-law No. 93-069 as amended, is repealed and replaced with Schedule "A", which is attached to and forms a part of this by-law.

4. In all other respects By-law No. 93-069 as amended is hereby confirmed without change.

PASSED this

day of

A.D. 1996.

City Clerk

Mayor

SCHEDULE 45

FEES

1. Repealed (am. 93-152)
2. Repealed (am. 93-152)
3. Schedule 3 (Retail Butchers and Fishmongers) : The licence fees for licences under Schedule 3 are \$135.00 for a renewal, and \$185.00 for other than a renewal. (S3, s6)
4. Schedule 4 (Taxicabs) : The fees for licences and other matters under Schedule 4 are as follows:
 - (a) Initial application for entry on the priority list, \$60.00;
 - (b) Annual renewal of placement on the priority list, \$60.00 if prior to September 30, and late renewal of placement on the priority list, \$100.00; (am. 93-218)
 - (c) First issuance of a private taxi-cab licence from the Taxi-cab Priority List, \$3,480.00;
 - (d) Renewal of a private taxi-cab licence, \$210.00;
 - (e) Transfer of a private taxi-cab licence, \$670.00;
 - (f) Renewal of a public taxi-cab licence, \$340.00;
 - (g) Transfer of a public taxi-cab licence, \$670.00;
 - (h) First issuance of a taxi-cab broker's licence, \$400.00;
 - (i) Renewal of a taxi-cab broker's licence, \$270.00;
 - (j) Issuance of a taxi-cab driver's licence, \$50.00;
 - (k) Filing fee for the initial copy of a limited interest agreement in respect of the first car, \$60.00;
 - (l) Yearly renewal fee for the initial limited interest agreement in respect of the same first car, \$60.00;
 - (m) Filing fee for the initial copy of a limited interest agreement in respect of any additional car, \$210.00;
 - (n) Yearly renewal fee for a limited interest agreement in respect of any additional car, \$210.00;
 - (o) Filing fee for a copy of a notice or an agreement under section 14(5) of Schedule 4, \$30.00. (S.4, s.33)
 - (p) Wheelchair Accessible Taxicab (Integrated) - Owner Licence and Renewal, \$5.00.

4a. Schedule 4a (Livery Vehicles) : The licence fees for licences under Schedule 4a are as follows:

- (a) Livery vehicle owner's licence Class A or B, \$210.00;
- (b) Livery vehicle driver's licence, \$50.00; (S.4a, s.16)

5. Schedule 5 (Cartage Businesses) : The licence fees for licences under Schedule 5 are as follows:

- (1) For owners of carts and other animal drawn vehicles used for hire for the conveyance of goods or other material, or for the conveyance of passengers, for each vehicle, renewal \$185.00, and \$235.00 for other than a renewal.
- (2) For owners and operators of Class "C" licensed cartage vehicles, for each vehicle, renewal \$185.00, and \$235.00 for other than a renewal.
- (3) For owners and operators of Classes "A", "B", "D", "E", "F" and "G" licensed cartage vehicles, for each vehicle, renewal \$185.00 and \$235.00 for other than a renewal. (S.5, s.10)

6. Repealed (am. 93-152)

7. Repealed (am. 93-152)

8. Schedule 8 (Eating Establishments) : The licence fees for licences under Schedule 8 are as follows, \$135.00 for a renewal, and \$185.00 for other than a renewal. (S.8,s.4, am. 95-171)

9. Schedule 9 (Food Shops) : The licence fees for a licence under Schedule 9 are \$135.00 for a renewal, and \$185.00 for other than a renewal. (S.9, s.3)

10. Schedule 10 (Tow-Trucks) : The licence fees for licences under Schedule 10 are as follows:

- (a) For a tow-truck owner's licence, per vehicle, for renewal, \$185.00 and for other than a renewal \$235.00;
- (b) For a tow-truck driver's licence, for renewal, \$185.00, and for other than a renewal, \$235.00. (S.10, s.9)

13. Schedule 13 (Pedlars) : The licence fees for licences under Schedule 13 are as follows:

- (1) For a pedlar,
 - (a) (Repealed, By-law 84-244);
 - (b) who travels with a push cart, renewal, \$185.00, and \$235.00 for other than a renewal;
 - (c) who travels with a motor truck, panel truck or station wagon, renewal, \$185.00, and \$235.00 for other than a renewal;
 - (d) who travels on foot with a basket, valise, bag or pack, for renewal, \$185.00, and \$235.00 for other than a renewal. (S.13, s.5)

15. Schedule 15 (Public Halls and Places of Amusement) : The licence fees for licences under Schedule 15 are as follows:

- (1) Billiard Room or Pool Room, a renewal, \$135.00, and \$185.00 for other than a renewal;
- (2) Exhibitions for which admission is charged, in other than a licensed theatre or a licensed public hall,
 - (a) of pictures, paintings, statuary, waxworks or other works of art, or curiosities or other objects of interest, per day, \$14.00;
 - (b) of performing horses, ponies or dogs, per day, \$37.00;
 - (c) of a menagerie or trained animal show, circus riding, wild-west show or other like show usually exhibited by showmen, or a carnival, but not including a circus held in a permanent indoor structure per day, \$100.00; and for each side show or other entertainment connected with or associated with each show mentioned in this clause, \$37.00;
 - (cc) of a circus held in a permanent indoor structure, per day, \$20.00;
 - (cd) Provided that the total of the daily fees for exhibitions or circuses do not exceed \$500.00.
 - (d) of a performance of a troupe or company of actors or musicians, or of dramatic or musical performances, for each performance, \$14.00;
 - (e) of boxing, wrestling or other like performance, for each performance, \$19.00;
- (3) Theatre or moving picture show, a renewal, \$135.00, and \$185 for other than a renewal;
- (4) Arena, \$270.00;
- (5) Bowling Alley, a renewal, \$135.00, and \$185.00 for other than a renewal;
- (6) Pinball or other Amusement Machine Parlours in which are located 4 or more machines, a renewal, \$135.00; and \$185.00 for other than a renewal;
- (7) Bingo Parlour, a renewal, \$135.00, and \$185.00 for other than a renewal;
- (8) Repealed (am. 93-240)
- (9) Public Hall, other than a Bingo Parlour, a renewal \$135.00, and \$185.00 for other than a renewal;
- (10) Roller Skating Rinks or like places of amusement, a renewal, \$135.00, and \$185.00 for other than a renewal.
- (11) Merry-Go-Round, Switchback Railway, Carousel or other like contrivances including Roller Coaster, for each day, \$50.00.
- (12) Rebound Tumbling Establishment;
 - (a) for 20 beds or less, \$19.00;
 - (b) for more than 20 beds, \$37.00.

(13) Shooting Gallery, \$19.00. (S.15, s.6)

16. Schedule 16 (Refreshment Vehicles) : The licence fees for a licence under Schedule 16 are, for renewal, \$185.00, and \$235.00 for other than a renewal. (S.16, s.10)

17. Schedule 17 (Salvage and Second-Hand Goods Businesses) : The licence fees for licences under Schedule 17 are as follows, for a renewal, \$135.00, and \$185.00 for other than a renewal. (S.17, s.8)

19. Schedule 19 (Sign Posters and Bill Distributors, etc.) : The licence fees for licences under Schedule 19 are as follows, for a renewal, \$185.00, and \$235.00 for other than a renewal. (S.19, s.3)

20. Schedule 20 (Tobacco, Cigars and Cigarette Retailers) : The licence fees for licences under Schedule 20 are, for a renewal, \$135.00, and \$185.00 for other than a renewal. (S.20, s.6)

21. Repealed (am. 93-152)

22. Schedule 22 (Transient Vendors) : The licence fees for licences under Schedule 22 are as follows:

- (1) Transient Vendor to which subsection (2) does not apply, for a three-month period or part thereof, \$500.00
- (2) Transient Vendor who is a farmer resident in Ontario offering for sale only the produce of his or her own farm, \$5.00. (S.22, s.8(1))

23. Repealed (am. 93-152)

24. Schedule 24 (Bake Shops) : The licence fees for licences under Schedule 24 are, for a renewal, \$135.00, and \$185.00 for other than a renewal. (S.24, s.3)

25. Repealed (am. 93-152)

26. Repealed (am. 93-152)

27. Repealed (am. 93-152)

28. Schedule 28 (Lodging Houses) : The licence fees for licences under Schedule 28 are, for a renewal, \$135.00 and \$185.00 for other than a renewal, except for second level lodging house licences, the fees for which are provided under by-law 80-259 as amended. (S.28, s.5)

29. Repealed (am. 93-152)

30. Schedule 30 (Pawnbrokers) : The licence fees for licences under Schedule 30 are, for a renewal \$135.00, and \$185.00 for other than a renewal. (S.30, s.3)

31. Schedule 31 (Public Baths) : The licence fee for a licence under Schedule 31 are, for renewal, \$270.00, and \$320.00 for other than a renewal. (S.31, s.2)

32. Schedule 32 (Public Garages) : The licence fees for licences under Schedule 32 are as follows:

- (1) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place where motor vehicles are stored or kept for sale (Garage A), for a renewal, \$135.00, and \$185.00 for other than a renewal.

- (2) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, including body and fender repairs (Garage B1), for a renewal, \$135.00, and \$185.00 for other than a renewal.
- (3) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, except body and fender repairs (Garage B2), for a renewal, \$135.00, and \$185.00 for other than a renewal.
- (4) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop for body and fender repairs (Garage B3), for a renewal, \$135.00, and \$185.00 for other than a renewal.
- (5) For a public garage that is only an automobile service station within the meaning of the provisions of paragraph 154 of section 154 of the Municipal Act, R.S.O. 1990, Chapter M.45, except a retail store not otherwise an automobile station where gasoline or oils are sold in sealed containers only (Garage C), for a renewal, \$135.00, and \$185.00 for other than a renewal.
- (6) For a public garage, other than an automobile service station as described in subsection (5), that is a parking station or a parking lot (Garage D), for a renewal, \$135.00, and \$185.00 for other than a renewal.

Provided that an automobile service station with no more than five parking spaces for hire shall not be deemed to be a parking station or parking lot within the meaning of this section.

- (7) For a public garage that is a building or place used for only washing or cleaning motor vehicles or in addition to being an automobile service station as described in subsection (5) (Garage E), for a renewal, \$135.00, and \$185.00 for other than a renewal.

Provided that a licensed public garage not having special equipment capable of washing or cleaning more than 15 motor vehicles a day shall not be deemed to be a building or place used for washing or cleaning motor vehicles within the meaning of this section. (S.32, s.10)

40. Repealed (am. 93-152)

41. Schedule 41 (Precious Metals and Old Jewellery Dealers) : The licence fees for licences under Schedule 41 are, for a renewal, \$135.00, and \$185.00 for other than a renewal. (S.41, s.4)

42. Schedule 42 (Building Exterior Cleaners) : The licence fees for licences under Schedule 42 are, for a renewal, \$185.00, and \$235.00 for other than a renewal. (S.42, s.5)

43. Schedule 43 (Flea Markets) : The licence fees for licences under Schedule 43 are as follows:

- (1) For a Flea Market Owner, a renewal, \$135.00, and \$185.00 for other than a renewal. (S.43, s. 10)

(2) Repealed (am. 93-152)

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF MARCH A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of March A.D. 1996

ACTING CITY CLERK

MAYOR

URBAN/MUNICIPAL
CAY ON HBL A05
A31
1996

1996 March 21



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 March 26
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN MUNICIPAL

**J. J. Schatz
City Clerk**

MAR 25 1996

A G E N D A

GOVERNMENT DOCUMENTS

- 1. National Anthem.**
- 2. Opening Prayer: Father George Vukelich
St. Nicholas Serbian Church**
- 3. Presentations:**
 - (a) Retirement Certificate: Mr. Larry Krouse - Retired from Cemeteries
Division of Public Works**
 - (b) Certificate of Recognition: Mr. Mike Roach who served on the
Hamilton Veterans' Committee as Past-Chairman and a Member.**
- 4. Adoption of the minutes of the meeting held 1996 March 12.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (b) Parks and Recreation Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
- 7. Notice of Motion from previous meeting (February 27) - Alderman V. Agro**
- 8. Notices of Motion for next meeting.**
- 9. Question Period.**
- 10. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 March 12
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor Wilson.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Mayor Morrow - vacation

Acting Mayor Wilson called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

The Reverend William A. Horne, Westmount Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 February 27 were adopted as circulated.

PRESENTATIONS

Mr. Brad Gowland, Recruiting Co-ordinator for the Red Cross Society presented an award to the City of Hamilton for its outstanding and significant blood donation contribution for 1995.

* * * * *

Provincial Champion Pins with the Sesqui Symbol were presented to the Hamilton and District Sledge Hockey Association by Acting Mayor Wilson.

CORRESPONDENCE

1. Petition in the form of 68 cards from the Journal of Architectural Conservancy of Ontario urging that Victoria Hall not be demolished.

Received.

2. Letter from S. G. Hollowell, Acting City Clerk advising of an objection to By-law No. 96-006 respecting property at 412 Aberdeen Avenue, Hamilton, Ontario.

Received.

3. Letter dated 1996 February 29 from the Hand Association of Sewer, Watermain and Road Contractors respecting "In House" work.

Referred to the Transport and Environment Committee.

4. Letter of Application dated 1996 March 5 from The Pica Group Inc. respecting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District, modified for 475 Main Street East, and 46 Grant Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. Morrow, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT

Section 1 Re: Recovery of servicing costs

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Acting Mayor Wilson. -1.

CARRIED.

* * * * *

Section 19 Re: 460 Kenora Avenue and 37 Kilbride Road, Waste Disposal Sites

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

* * * * *

Section 14 Re: Use of Council Chambers by David Christopherson, M.P.P.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 14 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "14. That approval be given to the request of David Christopherson MPP to use the Council Chambers for a Public Meeting on Wednesday, 1996 March 13 from 7:00 o'clock p.m. to 9:00 o'clock p.m." **CARRIED.**

* * * * *

Section 15 Re: Use of Council Chambers by St. Jean de Brebeuf Catholic Secondary School

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 15 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "15. That approval be given to the action taken by the Acting City Clerk in authorizing a group of OAC English Students from St. Jean de Brebeuf Catholic Secondary School to use the Council Chamber for a recorded debate on Hamlet, on Monday, 1996 March 11 from 9:00 o'clock a.m. to 12:00 o'clock noon." **CARRIED.**

* * * * *

Section 16 Re: Extension of Hours - Crazy Horse Saloon

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 16 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "16. That approval be given to the action taken by the Acting City Clerk in advising the LLBO that a further addition of venue of The Crazy Horse Saloon on 21 John Street South be added to those previously supported by City Council in their request for extension of hours on Saturday, 1996 March 9th for the Hamilton Music Scene '96 Festival being held in conjunction with the Juno Awards." **CARRIED.**

REPORT OF HIS WORSHIP MAYOR R. MORROW - FIRST REPORT

RESOLUTION

Resolution respecting closure of any hospital in the City of Hamilton.

It was moved by Alderman Agro and seconded by Alderman McCulloch that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting the closure of any hospital in the City of Hamilton.

CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch:

- (a) That the Hamilton City Council is on record as vehemently opposing the closure of any hospital, acute care or urgent care facility within its boundaries; and,
- (b) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, and all Area M.P.P.'s.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Caplan -1.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of His Worship Mayor R. Morrow, and resolutions be adopted.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:16 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR D. WILSON

S. G. Hollowell,
Acting City Clerk

1996 March 12
SGH/dg

CORRESPONDENCE

Correspondence:

1. Letter from J. J. Schatz, City Clerk advising of an objection to By-law No. 96-018 respecting property at 1270 Upper James Street, Hamilton, Ontario. (previously distributed)

Recommendation: Be Received.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. That approval as required by Parks By-law No. 95-126, Section 29 be granted to the Hamilton Wentworth Creative Arts Inc. to use Kay Drage Park for the parking of vehicles during the Earthsong Festival that is being held at Princess Point on 1996 June 28 to July 1, subject to the following terms and conditions:
 - (a) That proof of \$3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted thirty (30) days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assumes responsibility for all labour-related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers, as deemed necessary, by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
2. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the 1996 Ontario Parks Association 'Golf Day' to be held at King's Forest Golf Course on 1996 July 19.
3. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Ontario Association of Cemeteries and Ontario Funeral Services Association Golf Tournament to be held at King's Forest Golf Course on 1996 September 16.

4. That permission be granted to waive the green fees for the Canadian Cancer Society's 'Longest Day of Golf' to be played at King's Forest and Chedoke Golf Courses on 1996 June 21.
5. (a) That approval as required by Parks By-Law 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the organizations as follows:
 - (i) Festitalia Corporation Family Style Picnic - Bayfront Park
1996 August 3, 4, and 5, 12:00 o'clock noon - 9:00 o'clock p.m.; and,
 - (ii) Portuguese Association of St. Michael - Dundurn Park Pavilion
1996 May 31 to June 2, 12:00 o'clock noon to 10:00 o'clock p.m.; and,
 - (iii) Creative Arts Inc. - Gage Park
1996 August 9 to August 11, 12:00 o'clock noon to 11:00 o'clock p.m.;
and,
- (b) That approval be subject to the following terms and conditions:
 - (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
 - (ii) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
 - (iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (iv) That alcoholic beverages be served in a confined area (beer and wine only); and,
 - (v) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (vi) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,

- (vii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (viii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (ix) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
- (x) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,
- (xi) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

6. That permission be granted as required by Parks By-law No. 95-126, Section 29(a), to Cruzaders Classic Car Club of Hamilton to use Pier 4 Park to park cars for their "50's Flashback Cruise Nights" that are being held on the following dates and subject to the following terms and conditions:

1996 May 24

1996 June 2 and June 21

1996 August 9 and August 25

1996 September 6

- (a) That insurance, in the amount of \$3 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
- (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,
- (c) A Site Plan of Park to be submitted one month prior to event; and,
- (d) That Special Duty Officers, as deemed necessary by the Hamilton Wentworth Regional Police, be provided at the applicant's expense; and,
- (e) That Public Works - Street Vendors remain open during the event; and,

- (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
- 7.
- (a) That Charisma Advertising and Public Relations Inc. be granted permission to host Hamilton Mayfair Event, 1996 May 7, May 8 and May 9, 4:00 o'clock p.m. to 11:00 o'clock p.m., May 10, 4:00 o'clock p.m. to 12:00 o'clock midnight; May 11, 11:00 o'clock a.m. to 12:00 o'clock midnight; May 12, 11:00 o'clock a.m. to 7:00 o'clock p.m. in Brian Timmis Stadium; and,
 - (b) That approval as required by Parks By-law No. 95-126, Section 29 to park vehicles on Scott Park baseball diamonds be subject to the following terms and conditions:
 - (i) That proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted thirty (30) days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (iv) That Charisma Advertising and P.R. Inc. enter into a Licensing Agreement satisfactory to the City Solicitor; and,
 - (c) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
8. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley and Greenhill on 1996 May 20, raindate 1996 May 26, subject to the following terms and conditions:
- (a) That Greenhill Co-operative Corporation use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-

insured be provided to the City of Hamilton at least 20 days prior to 1996 May 22; and,

- (c) That Greenhill Co-operative Corporation comply with all sections of By-law No. 90-198; and,
- (d) That the Greenhill Co-operative Corporation agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.

9. That the term of the contract with Patriot Enterprises to provide golf course signage, previously approved by City Council through adoption of Section 11 of the First Report of the Parks and Recreation Committee on 1996 January 30th, be amended to a term of five years commencing Spring 1997, beginning with King's Forest Golf Course, and terminating in the year 2002, for the supply, installation and maintenance of tee signs for the Hamilton Municipal Golf Courses.

10. That approval, as required by Section 11 Parks By-law No. 95-126, be given to the organizations as follows:

- (a) Hamilton Ladies Slo-Pitch Softball Association Inc. - 1996 May 24, 25, 26, Globe Park; and,
- (b) Wentworth Adult Mixed Slo-Pitch League - 1996 May 31, June 1, 2, - Globe Park; and,
- (c) Hamilton & District Slo-Pitch Association - 1996 June 15, August 23, 24, 25, Globe Park; and,
- (d) Hamilton and District Oldtimers Baseball Association, 1996 August 2 to 5, Mohawk Sports Park; and,
- (e) Hamilton Civic Hospitals League, 1996 June 15, 16, - Turner Park; and,
- (f) Hamilton Wentworth Police Association 1996 July 13, 14, Turner Park; and,
- (g) Adverttech Group Ltd. Sesquicentennial Slo-Pitch Tournament 1996 June 21, 22, 23, Turner Park; and,
- (h) Gourley Park Community Association - 1996 July 6 (Rain: July 13), James MacDonald School Park; and,

to sell alcoholic beverages in those locations and on the dates specified subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages be served in a confined and fenced area of the Park; and,
 - (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
 - (v) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (vi) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,
 - (vii) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.
11. (a) That the City exercise its option to renew the Licence Agreement with the Hamilton Hornets Rugby Football Club for use of the Clubhouse addition to the Field House and the cement storage area in Mohawk Sports Park for a further term of a five (5) year period, originally approved as Section 15 of the Eighth Report of the Parks and Recreation Committee for 1995 and approved by Council 1996 March 28; and,
- (b) That approval be granted to the Club to sell alcoholic beverages on the following dates and times, by Special Occasion Permits only, and in accordance with the terms and conditions of the Licence Agreement; and,
- (i) Saturdays: 1:00 o'clock p.m. to 1:00 o'clock a.m.
April 27, May 4, 11, 18, 25, June 1, 8, 15, 22, 29, July 6, 13, 20, 27,
August 3, 10, 17, 24, 31, September 7, 14, 21, 28, October 5, 12, 19, 26,
November 2; and,

- (ii) Tuesdays/Thursdays: 6:00 o'clock p.m. to 11:00 o'clock p.m.
May 2, 7, 9, 14, 16, 21, 23, 28, 30, June 4, 6, 11, 13, 18, 20, 25, 27,
July 2, 4, 9, 11, 16, 18, 23, 25, 30, August 1, 6, 8, 13, 15, 20, 22, 27, 29
September 3, 5, 10, 12, 17, 19, 24, 26, October 1, 3, 8, 10, 15, 17, 22, 24,
29, 31; and,
 - (iii) Wednesday September 18: 1:00 o'clock p.m. to 1:00 o'clock a.m.
- 12. That approval be given to deaccession from Dundurn Castle's collection, the textiles whose accession numbers are listed on Appendix "A" attached hereto.
- 13. That approval be given to the Director of the Department of Culture and Recreation, on behalf of the City, to apply for six (6) Summer Employment Experience Program (S.E.E.P.) Grants with the Ontario Training and Adjustment Board to hire an Education and Program Assistant for The Hamilton Children's Museum; Museum Clerks for The Hamilton Museum of Steam and Technology and Whitehern; a Collections Assistant for Dundurn Castle; and, a Marketing Assistant for a period of ten (10) weeks at 35 hours per week.
- 14. (a) That the Hamilton Veterans Committee's Terms of Reference be amended to read as follows:

That the Hamilton Veterans Committee consist of one Member of City Council; the current President of the United Council of Veterans; a Veteran elected at large by the United Council of Veterans; a current President of a recognized Hamilton Veterans Club; and, one war Veteran and one member (either a veteran or a person from the Regular Forces) recommended by the Veterans holding the previously mentioned appointments; and,
- (b) That the following individuals be appointed to serve on the Hamilton Veterans Committee for a term to expire 1997 November 30:
 - (i) Bill Eisan (Veteran elected at large by the United Council of Veterans); and,
 - (ii) Tom Dean (Member from the Regular Forces recommended by the Members of the Hamilton Veterans Committee).

15.
 - (a) That the Director of Culture and Recreation be authorized to conduct a Request for Proposals in accordance with City policy for the management and operation of the Chedoke Twin Pad Arena; and,
 - (b) That a Bid Selection Committee be struck by the Chief Administrative Officer and the Director of Culture and Recreation and to include the Chairman of the Parks and Recreation Committee or his designate to review the bids and to report back to Parks and Recreation Committee with a recommended operator no later than 1996 June 15; and,
 - (c) That the Director of Culture and Recreation be authorized to contract outside consultative services in support of the bid evaluation process to an upset limit of \$10,000.
16.
 - (a) That the part-time Snack Bar Operator position be deleted from the Culture and Recreation Department staff complement and be replaced by a part-time Senior Snack Bar Clerk position; and,
 - (b) That documentation for the Senior Snack Bar Clerk position and salary, attached hereto as appendix "B", be approved; and,
 - (c) That this recommendation be forwarded to the Finance and Administration Committee for approval.
17. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton Wentworth to use Bayfront, Pier 4 Park, Eastwood and Bayview Parks to host The Greater Hamilton Aquafest, 1996 July 12 - July 21 from 8:00 o'clock a.m. to 11:00 o'clock p.m. subject to the following terms and conditions:
 - (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause:
 - (i) Comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,
 - (ii) Owned and Non-Owned Watercraft Liability to a minimum of \$5 million per occurrence; and,

- (iii) Evidence of Owned Automobile coverage (OPF 1) minimum of \$5 million per occurrence; and,
 - (iv) Evidence of Tenant Legal Liability in the amount of \$5 million per occurrence; and,
 - (v) Evidence of Garage Liability in the amount of \$5 million per occurrence; and,
- (b) That insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, severability provisions and thirty (30) days notice of cancellation, be provided; and,
- (c) That all requirements of the Liquor Licence of Ontario are met; and,
- (d) That alcoholic beverages be served in the confined area; and,
- (e) That the Region and their workers, who are providing alcoholic beverages, be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
- (f) That the Liquor License Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest being held this year from 1996 July 12-July 21 at Hamilton Harbour locations and deems this event to be a community festival of municipal significance to the City of Hamilton; and,
- (g) That in this regard, the City of Hamilton has no objections to the issuance of a temporary extension of a liquor license to the following licensed establishments in conjunction with the Aquafest activities:
- (i) Macassa Bay Yacht Club
 - (ii) Leander Rowing Club
 - (iii) Royal Hamilton Yacht Club; and,
- (h) That the Liquor License Board of Ontario be advised that the following community organizations will be applying for a Special Occasion Permit under community festival of municipal significance:
- (i) Kinsman Club
 - (ii) Kiwanis
 - (iii) Rotary Club of Hamilton East
 - (iv) Hamilton Ships Company of 1812

- (v) Hamilton Dragon Boat Society; and,
 - (i) That the Region of Hamilton enter into a License Agreement Satisfactory to the City Solicitor; and,
 - (j) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (k) That the Region assume responsibility for all labour-related costs as a result of this event, including setup and cleanup; and,
 - (l) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
 - (m) That the Public Works Departments's Street Vendors' Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the festival; and,
 - (n) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.P.) be advised of this event and be invited to attend in order to monitor the event's activities.
18. (a) That the sites identified in Appendix "C" be approved for inclusion in the City's Naturalization Program; and,
- (b) That staff be authorized to advise adjacent area residents of the Grass Maintenance Naturalization Programme through signage and information notices.
19. (a) That subject to receipt of correspondence from the Kinsmen Club of Hamilton prior to City Council on 1996 March 26, wherein a definite financial commitment is made; and,
- (b) That approval be given to proceed with the ordering and installation of an integrated creative play structure at Gage Park in advance of the respective fundraising obligations being remitted to the City; and,
- (c) That, if approved, upon remittance of the Kinsmen Club of Hamilton commitment, these funds be deposited to Capital Account CF 62965211 - Integrated Play Structure for Gage Park; and,

- (d) That, if approved, a purchase order be issued to Little Tikes Commercial Play Systems (Canada) Inc. of Paris, Ontario, in the amount of \$70,000. including G.S.T. for the supply and installation of an integrated play structure at Gage Park.

20. That the following sites be approved as the locations for the redevelopment of creative play structures within the approved capital funding allocation (1995 - \$303,000., 1996 - \$900,000.).

Jackson Park	A.M. Cunningham School	Lisgar Park
Beulah Park	Fairfield School	Peace Memorial School
Mapleside (Radial) Park	Andy Warburton Park	Bruce Park
Victoria Park	Parkdale School	Inch Park
Burton/Douglas Park	Glendale Park	Thornbrae School
Lifesaver Park	Warden Park	Wm. McCulloch Park
Myrtle Park	St. Agnes Park	Fonthill Park

21. (a) That the City of Hamilton enter into a Lease Agreement with the Regional Municipality of Hamilton-Wentworth to lease Waterworks Pipeline lands from Province Street North to Huxley Avenue North for use as a park in accordance with the approved concept plan attached hereto as Appendix "D"; and,
- (b) That the lease Agreement contain the following terms and conditions:
- (i) Term - Commences 1996 May 1 and terminates 2016 April 30; and,
 - (ii) Rental Rate - \$1. per year plus any applicable taxes; and,
 - (iii) The City of Hamilton pay for all operating costs associated with the use of the leased area including grass cutting, snow removal on the abutting sidewalks and walkways within the park and assume all liabilities arising out of this recreational use; and,
 - (iv) The City shall not interfere with the Region's maintenance and repairs of the waterworks pipeline; and,
 - (v) Should the Region need to operate or repair the pipeline the City will be responsible for all the costs of restoring the Park; and,
 - (vi) That the Commissioner of Transportation and Environmental Services approve all plans prior to construction; and,

1996 March 26

- (vii) The Lease be automatically renewed following the term herein expressed from year to year under the same terms and conditions unless terminated by either party by giving six (6) months written notice; and,
 - (viii) That the Lease Agreement be prepared in a form satisfactory to the City Solicitor; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
22. (a) That the Director of Culture and Recreation be authorized to negotiate revised one year contracts, with the option to extend the contracts over two, one year periods, with the Chedoke and King's Forest Golf Pros, satisfactory to the City Solicitor; and,
- (b) That a review of the City golf course operations, including audited statements be presented to the Parks and Recreation Committee annually.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 March 19

Appendix "A" as referred to in
Section 12 of the Fifth Report of
the Parks and Recreation Committee
for 1996

TEXTILE ARTIFACTS - DUNDURN CASTLE

1971.2	OC.335.27	1971.21.153b	OC.335.58
1.119	OC.335.26a	1971.21.153a	1971.20.120
1971.21.96	OC.335.23	1971.21.138	OC.361.14
OC.361.28b	OC.335.26b	1971.20.71	OC.361.53
OC.335.105	98.19.7	OC.330.1	OC.919.1
OC.330.14	OC.335.3	OC.361.101	OC.335.8b
1971.20.65	58.16.7	OC.361.80b	OC.335.8a
OC.361.86b	OC.329.35	OC.361.25	OC.335.7
OC.361.86a	OC.808.1	1979.20.20	OC.335.24
OC.564.34	1971.20.209	OC.329.10	OC.329.33
OC.361.95	OC.335.29	1971.21.150	OC.329.29
OC.361.100b	1971.20.121	OC.335.98	OC.335.6b
OC.361.100a	1977.12.8	OC.361.24	OC.335.6a
OC.366.119	OC.330.16	OC.335.101	OC.361.42
OC.366.120	OC.564.36	OC.361.69	OC.335.25
1971.21.120a	1971.20.204	1971.20.193	1971.21.123
1971.21.120b	1971.20.236b	OC.329.19	1188
1980.1.17	OC.330.24	OC.329.23	1971.21.137
1971.20.14	1971.20.236a	OC.329.21	OC.335.45
1971.21.87a	OC.330.15	OC.329.20	OC.335.89
1971.21.87b	1971.21.141	OC.329.18	OC.871.1
OC.361.88	1971.21.145	OC.329.22	OC.335.94
OC.329.30	OC.361.47	1971.20.147	OC.335.100
OC.361.10	1971.21.139g	OC.335.38	OC.329.34
OC.912.1	OC.366.110	OC.329.13	1971.21.79
1971.20.22	1971.21.139d	OC.329.12	1971.21.139b
OC.330.7	1971.21.139c	OC.329.14	OC.329.31
OC.336.10a	OC.361.30	1983.73.1	OC.335.71
OC.329.49	OC.361.58	1971.20.162	1971.21.81
OC.329.40	OC.335.50	OC.329.39	1994.2.3
OC.361.111	OC.329.24	OC.335.14b	1971.20.198
OC.361.78a	OC.330.20	OC.335.14a	1971.20.159
1977.12.2	OC.361.49	OC.975.1	1979.35
1971.21.147	1971.20.196	OC.564.36	1971.20.77
1971.20.223	60.13.5	1980.1.3a	OC.804.1

OC.335.13a	OC.984.1	OC.361.7	1971.377.1
1971.20.194	OC.361.9	OC.335.85	OC.329.50
OC.335.10	OC.361.34	OC.361.64	OC.329.3
OC.335.13b	OC.329.44	OC.361.40	58.20
1976.11.15	OC.335.12	OC.361.15	OC.335.79
OC.335.78	OC.361.22	OC.361.3	OC.335.64
OC.335.67	1971.20.230b	OC.361.44	OC.335.91
OC.335.70	1971.376.1	OC.335.65	OC.335.80
1971.378.1	1971.20.230a	OC.335.92	OC.329.7
1971.374.1	1971.20.226c	OC.335.97	1971.20.183
OC.867.1	1971.20.226b	OC.335.109b	1971.20.146
1971.21.83	OC.329.9	OC.336.109a	58.1.9
1971.21.82a	OC.335.4	OC.335.102	58.1.7
1971.20.206b	1976.11.37	OC.335.81	OC.361.33
1971.20.206a	1971.20.174	OC.335.103	1971.20.164
1989.1.22	OC.361.2a	OC.335.104	OC.335.17
OC.329.41	OC.361.2b	OC.361.39	OC.361.48
OC.361.65	OC.361.76b	OC.361.41	OC.335.39
1977.12.11a	OC.361.77b	OC.361.16	OC.361.20
1977.12.7	OC.361.76a	OC.335.95	OC.361.75
OC.361.18	OC.361.77a	1971.20.123	1971.20.160
OC.361.12	1971.21.101a	OC.329.16	OC.986.1
1977.12.1	1971.21.101b	OC.329.11	OC.335.97
OC.329.36b	1978.4.28	1971.20.74	OC.564.43
OC.329.36a	1971.21.93	OC.361.26	OC.329.42
1977.12.10	1971.21.107	1971.20.104	OC.329.46
OC.361.85	1971.21.137	1971.20.119	OC.361.45.2
OC.361.32b	OC.335.96	1971.21.127	OC.361.45.3
1977.12.11b	1971.21.121	1971.21.95	OC.361.45.4
OC.361.35	OC.330.11	OC.335.57	OC.361.45.1
1994.2.2	OC.361.13	1971.21.140	1971.21.89
1994.2.1	1971.20.101	OC.329.15	1971.21.90
OC.335.76	OC.335.93	1971.20.88	1971.21.112
58.7		1971.20.99	OC.335.44
OC.361.31	OC.335.82	1971.20.115	OC.335.43
OC.335.18	1971.21.114	1971.20.72	OC.335.99
OC.335.69	1971.21.136	OC.335.35	OC.335.90
1971.20.173	1971.21.100b	OC.329.55	OC.361.87
OC.335.33	1971.21.117	OC.335.37	1971.21.130
	1971.21.98b	1985.104.17	1971.21.134
OC.335.68	1971.21.108a	OC.335.61	1971.21.135
1979.36	1971.21.100a	1985.104.16	1971.21.132
979.7.1	1971.21.111	1971.20.124	1971.21.133
OC.361.19	OC.361.72	OC.335.106a	1971.21.131
OC.335.108a	OC.361.6	1985.104.15	1971.21.110
OC.335.108b	OC.361.5b	OC.329.48	OC.361.70
OC.335.31	OC.361.38	OC.911.1	OC.361.80a
OC.361.32a	OC.361.5a	58.19.7	OC.361.81a
OC.361.8	OC.361.4	1971.21.139f	OC.361.81b
OC.361.11	OC.361.83	1971.21.139b	OC.853.1

OC.361.73	OC.335.21	1971.20.79	1976.11.9
OC.335.49	OC.361.59	1971.20.84	1976.11.21
OC.361.29	OC.992.1	1971.20.93	1976.11.32
1971.20.82	1971.20.166	1971.20.85	1971.20.219
OC.361.63b	1971.20.158	1971.20.96	1971.20.235
OC.361.63a	1971.20.154	1971.20.97	1971.21.82b
OC.361.56	1971.20.188	OC.987.1	1971.21.82c
OC.335.32	OC.335.5	OC.1003.1	OC335.16
OC.335.42	1971.20.178	OC.1984.1	1971.20.222a
OC.361.54	1971.20.181	OC.1021.1	OC329.8
1971.20.103	1977.12.12a	1971.20.149	OC335.2
OC.335.75	OC.335.11b	1971.20.153	1971.20.215
1971.20.125	OC.335.11a	1971.20.202	OC.1045.1
OC.335.54	OC.335.11c	1971.20.170	1971.20.75
OC.335.55	1988.1.21	1971.20.191	OC747.1
976.13.7	OC.329.45	1976.11.6	OC361.982
OC.335.56	OC.329.37b	1976.11.23	OC746.1
OC.991.1	OC.329.43	1976.11.28	1975.10.14
1971.20.100	OC.329.37a	1976.11.9	OC766.1
1971.20.102	OC.1046.1	OC336.8b	OC748.1
OC.335.41	1971.20.106	1971.20.40	OC749.1
OC.916.1	1971.20.105	OC336.8a	OC765.1
OC.914.1	1971.20.132	OC336.10b	OC335.84
OC.335.83	OC.329.2	1971.20.38	OC744.1
1971.21.109	OC.329.25	OC336.16	1992.4.1
1971.21.113	1971.20.117	1976.11.70	OC.768.1
1971.21.115	1971.20.107	OC336.14.2	1971.21.29
1971.21.118	1971.20.118	1976.11.69	1971.20.238
58.18.5	1978.4.35	1971.20.155	1971.20.145
OC.335.34	OC.335.62	1976.11.10	1971.20.229
OC.335.63	OC.335.36	1976.11.11	1977.12.12a
OC.335.113a	OC.335.59	1976.11.24	1971.20.208
OC.335.113b	OC.335.72	1976.11.12	1971.20.214
OC.335.15	1971.20.98	1976.11.16	1976.11.27
OC.335.114b	1971.20.112	1976.11.18	1976.11.13
OC.335.114a	1971.20.109	1976.11.14	1976.11.5
1971.21.126	1971.20.76	1976.11.30	1976.11.4
1971.20.108	OC.361.51	1976.11.17	1982.25.2
1971.20.73	1971.20.175	1976.11.20	1971.20.207
1971.20.81	1971.20.150	1976.11.19	OC.335.9
1971.20.110	1971.20.180	1976.11.31	1971.20.192
1971.20.127	1971.21.92	1976.11.42	OC761.1
1971.20.89	OC.989.1	1971.20.165	OC978.1
OC.329.56	58.1.2	1976.11.25	1971.20.92
OC.361.57	58.1.11	1976.11.26	1978.4.34
OC.361.55	58.1.5	1976.11.29	1971.20.95
1971.21.129	58.1.4	1976.11.22	OC767.1
OC.335.20	1979.20.80	1976.11.8	OC869.1

- 4 -

OC335.30	OC335.38
1971.20.228b	1971.21.153b
1971.20.228a	1971.21.138
1971.20.169	OC329.19
1971.20.197	OC329.18
OC335.46	1971.20.193
1980.1.23	1971.21.145
OC361.99	OC361.24
1971.20.156	OC335.98
OC329.17	OC361.69
OC1044.1	OC335.101
OC564.59	1971.21.115
OC564.37	1971.21.139
OC564.40.2	1971.21.139d
OC564.40.3	1971.21.139c
OC564.38	OC361.25
OC564.40.1	OC330.1
1978.4.4	OC330.20
OC335.14a	1971.20.20
OC335.14b	OC329.14
OC564.35	OC329.12
OC975.1	OC329.13
1983.73.1	OC361.80w
OC329.39	OC361.101
1971.20.204	1971.20.71
60.13.5	1971.20.147
OC366.119	1971.21.77
1971.20.162	1971.20.210
OC330.16	1971.20.213
OC564.36	OC977.1
1977.12.8	1971.21.1939a
1971.21.141	1971.21.1339e
1971.21.153a	OC330.23
1971.20.236a	OC.335.22
OC330.24	
OC330.15	
1971.20.196	
OC361.49	
OC329.24	
OC335.50	
OC361.58	
OC361.30	
OC361.47	
OC329.22	
OC329.10	
OC329.20	
OC329.21	
OC329.23	

THE CORPORATION OF THE CITY OF HAMILTON

JOB TITLE:	Senior Snack Bar Clerk	POSITION NO. CCR 136
DEPARTMENT:	Culture and Recreation	
SECTION:	Arenas and Technical Services	
DIVISION:	Concessions	

JOB SUMMARY: Reporting to the Food Services Co-Ordinator, responsible for the operation of refreshment concessions at various locations by providing quick courteous service, maintaining cleanliness standards and security of the concessions as set down by the Department, ensuring continuous high customer service standards and restocking of concessions to ensure smooth operation.

SPECIFIC DUTIES:

Responsible for daily operation of concession by being familiar with operating procedures such as opening, closing, customer service, stock sold, prices, etc.

Open and close snack bar by ensuring security.

Attend to customers in a courteous and tactful manner.

Ensure work station is stocked with food, drinks and supplies.

Monitor and order supplies to ensure adequate stock.

Prepare food for sale.

Count cash and balance float each shift.

Clean and maintain soft drink and hot chocolate dispensers, microwave, coffee water, hotdog roller, bun steamer, popcorn maker, etc.

Operate cash register and balance cash. Prepare bank deposits for deposit by Supervisor.

Restock machines with supplies as needed.

Clean counter and floor in work area.

Prepare work schedules in conjunction with Food Services Co-ordinator.

Train staff in food services preparation and sales.

Perform other duties as assigned which are directly related to the operation of a snack bar.

QUALIFICATIONS:

Must possess Grade 10 Education or related experience.

Must be able to operate electronic cash register including taking readings.

Must have the ability to relate with the public in a courteous and tactful manner.

Ability to schedule work.

Salary: \$8.267 per hour

Hours: varies according to season.

Appendix "C" as referred to in
Section 18 of the Fifth Report of the
Parks and Recreation Committee for 1996

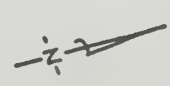
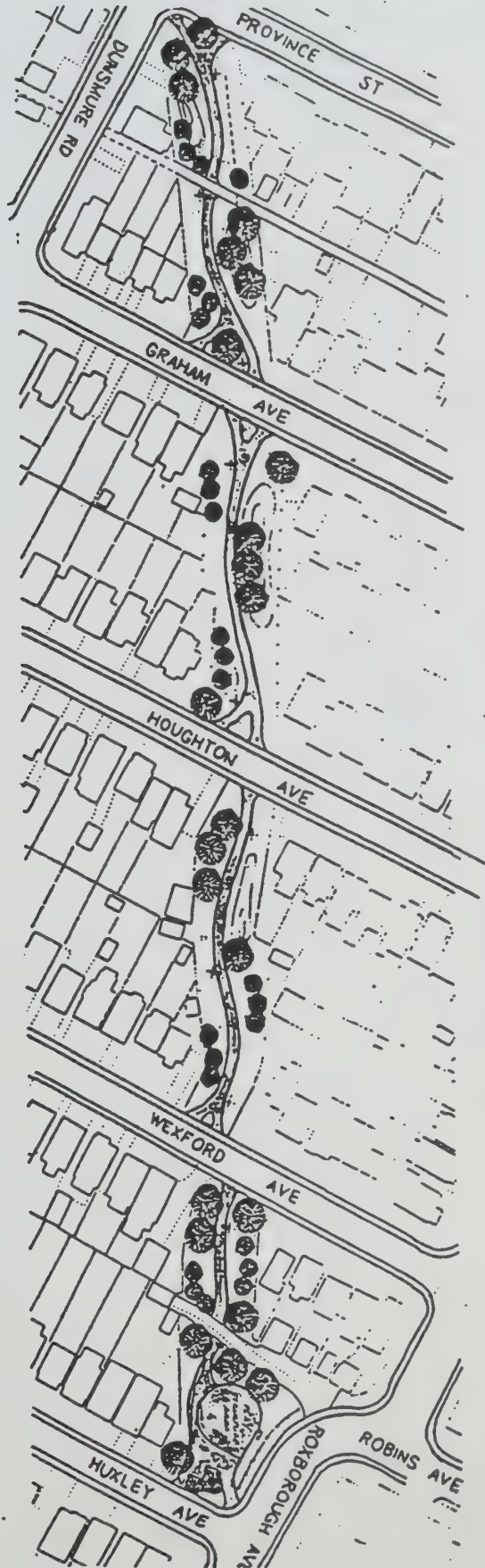
GRASS MAINTENANCE AREAS FOR NATURALIZATION 1996

<u>Park Name</u>	<u>Ward</u>	<u>Total Hectares/</u>	<u>Total Acres +/-</u>	<u>Area to be Naturalized Description</u>	<u>Hectares/</u>	<u>Acres +/-</u>
Cathedral Park, 624 Main Street West	1	3.2	8.01	entire park except Cricket Pitch	2.4	6.0
Churchill Park 145 Cline Avenue	1	28.0	70.0	perimeter of woodlot	0.8	2.0
Strachan Street Properties	2	2.0	5.0	vacant lots	2.0	5.0
Gage Park, 1000 Main Street West	3	28.9	71.4	wetland area between ball diamond and Montclair access	2.0	5.0
Hillcrest Park, 485 Queenston Road	4	37.1	91.7	passive area at rear of property near Armstrong	2.0	5.0
Beach Strip Park No. 1 546 Beach Boulevard (behind Skyway Canvas)	5	.5	1.2	completely passive	.5	1.2
Country Club Drive Park, 80 Country Club Drive	5	1.8	4.3	completely passive	1.8	4.3
Father Sean O'Sullivan Park, Chert Avenue	5	5.9	14.5	passive area off Greenhill	2.0	5.0
Lake and Barton, 140 Lake Avenue North	5	22.7	56.0	passive area between road allowance and ravine	1.2	3.0
Potruff Road North	5	36.0	89.0	between Queenston and Melvin road allowance to ravine	4.0	10.0
Oak Knoll Park, 701 Mountain Brow Blvd.	6	8.0	19.8	passive area	2.4	6.0
Turner Park, 306 Rymal Road	7	20.0	49.4	passive area from diamonds to road allowance and area between diamonds	3.2	8.0
Escarpment Ward 8, 115 San Antonio Drive	8	48.5	120.0	along escarpment Upper Paradise Road to Upper Horning Road	3.0	7.0
Olympic Park, Mohawk Road and Scenic Drive	8	9.5	23.4	upper plateau off Mohawk Road	<u>1.2</u>	<u>3.0</u>
TOTAL					27.3	70.5

1996 March 12

Appendix "D" as referred to
in Section 21 of the Fifth Report
of the Parks and Recreation
Committee for 1996

PLAN OF
PIPELINE PARK
CONCEPT



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application ZAC-95-33, Jorge Rodriguez, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, (Block "1") and for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "2"), to convert the existing single family dwelling to a medical office and a dwelling unit, for the property located at 832 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A" on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District - Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;
 - (ii) That Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (iii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (iv) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (a) a hearing aid dispensing office on the first floor of the existing building having a maximum gross floor area of 95 m² (1000 feet²);

- (b) one dwelling unit in the basement of the existing building;
 - (c) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
- (2) That a minimum 3.0 m wide landscape planting strip, and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "2";
 - (3) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly lot line of Blocks "1" and "2";
 - (4) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the easterly lot line of Block "1" except for any area used for vehicular access;
 - (5) That notwithstanding Section 18A(1), of By-law No. 6593 not less than five (5) parking spaces shall be provided and maintained on the subject lands;
 - (6) Section 18A(14) of Zoning By-law No. 6593 shall not apply; and,
 - (7) Section 18A(26) of Zoning By-law No. 6593 shall not apply.
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1355, and that the subject lands on Zoning District Map E-18 be notated S-1355;
 - (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to Council; and,
 - (vii) That the proposed changes and modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That Site Plan Control By-law No. 79-275, as amended, by By-law 87-233, be amended by adding the subject lands to Schedule "A".

2. (a) That approval be given to Zoning Application 96-02, E.L. RICHTER, owner, for a modification to the established "JJ" (Restricted Light Industrial) District regulations, to permit use of the existing building and proposed addition for a warehouse, showroom and office space for a central mail order business and retail outlet for industrial and agricultural parts, equipment, accessories and related products, for lands located at No. 244 Lake Avenue North, as shown on the attached map marked as APPENDIX "B", on the following basis:
 - (i) That the "JJ" (Restricted Light Industrial) District regulations as contained in Section 16A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 16A(1), a central mail order business with showroom and office and a retail outlet for industrial and agricultural parts, equipment, accessories and related products, shall be permitted;
 - (2) That Section 16A(3)(c) shall not apply; and,
 - (3) That a minimum 1.5 m high chain link fence shall be provided and maintained along the northerly 38.5 m of the easterly rear lot line;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1354, and that the subject lands on Zoning District Map E-113 be notated S-1354;
 - (iii) That the Director of Planning and Development be directed to prepare a by-law, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-113 for presentation to City Council; and,
 - (iv) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for passage by Council until such time as the applicant has fulfilled the following conditions:
 - (i) That the applicant shall remove all pavement from the approximately 12 m (40 ft.) of City owned lands, immediately east of the subject lands, and that no fill material, or other debris, be deposited over the top of the ravine, to the satisfaction of the Director of Property; and,

- (ii) That prior to removal of the pavement, the applicant submit a plan to provide for revegetation of the disturbed areas with natural plant material, satisfactory to the Director of Planning and Development, and that the revegetation plan be implemented, immediately following removal of the pavement, to the satisfaction of the Director of Property and the Director of Planning and Development.

OR

- (iii) That the applicant enter into an agreement with the City of Hamilton, including securities if deemed necessary, to the satisfaction of the Director of Property, City Solicitor, and the Director of Planning and Development, to provide for removal of all pavement from the approximately 12 m (40 ft.) of City owned lands to the east of the subject lands; and that no fill material, or other debris, be deposited over the top of the ravine; and to provide for revegetation of the disturbed areas with natural plant material immediately following removal of the pavement.
3. (a) That approval be given to amended Subdivision Application 94-03 (Regional File No. 25T-94005(R)), by Urbex Engineering Ltd., on behalf of Sthermal Developments Inc., owner, for approval of a draft plan of subdivision - "Sthermal Estates", on lands located south of Rymal Road East and west of the proposed extension of Upper Sherman Avenue, in the Chappel East Neighbourhood, as shown on the attached map marked as APPENDIX "C", subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by J.P. Woolley, O.L.S., dated August 10, 1995, showing 159 lots for single family dwellings, a townhouse block, a block for future commercial uses and 3 blocks to be developed with lands to the east for single family dwellings, 9 blocks for 0.30 m reserves and 5 local streets and the extension of Upper Sherman Avenue, as shown on APPENDIX "D".
 - (ii) That no portion of the subject lands be developed until such time that storm and sanitary sewer outlets are available to service these lands directly.
 - (iii) That the owner satisfy all engineering and financial requirements of the City of Hamilton prior to the development of any portion of the subject lands.
 - (iv) That the streets be established to their full width by certificate on the final plan and that Blocks 166, 167, 168, 169, 170, 171, 172, 173 and 174, being 0.30 metre reserves, be transferred to the City of Hamilton.

- (v) That 2m X 2m day-lite triangles be established on all L-shaped streets on the Final Plan.
- (vi) That the centreline of the extension of the road allowance for Upper Sherman Avenue south of Rymal Road East align with the centreline of the original road allowance of Upper Sherman Avenue north of Rymal Road East.
- (vii) That the first phase of development must include the construction of Upper Sherman Avenue from Rymal Road East southerly to the satisfaction of the Commissioner of Transportation/Environmental Services.
- (viii) That the alignment of the extension of Upper Sherman Avenue meet all standards and requirements of the Regional Roads Department, Ontario Hydro, TransCanada Pipeline and the Township of Glanbrook.
- (ix) That the owner provide the City of Hamilton with written confirmation from Ontario Hydro and TransCanada Pipelines that the extension of Upper Sherman Avenue, southerly through the Hydro Corridor will not require the relocation of the Hydro Towers or any related gas pipeline facility.
- (x) That the Owner provide written confirmation from Ontario Hydro that the proposed extension of Upper Sherman Avenue conforms to all of Ontario Hydro's requirements with respect to road set backs from the existing Hydro Towers, etc., and that the alignment of the Upper Sherman Avenue extension through the Hydro Corridor into the Township of Glanbrook is to the satisfaction of Ontario Hydro.
- (xi) That the owner provide a temporary turning circle at the southern limit of Upper Sherman Avenue within the limits of this plan of subdivision, or secure the necessary lands to the south so as to provide a temporary turning circle outside the plan of subdivision to the satisfaction of the Commissioner of Transportation/Environmental Services.
- (xii) That the owner, in the case where the temporary turning circle at the southern limit of Upper Sherman Avenue cannot be accommodated within the road allowance, and lots are affected by the creation of the temporary turning circle, agree to declare the affected lots unsuitable for building until such time as required by the Commissioner of Transportation/Environmental Services or the temporary turning circle is no longer required and Upper Sherman Avenue is extended southerly.
- (xiii) That the Owner dedicate Block 165 for the widening of Rymal Road East to the Region of Hamilton-Wentworth prior to registration of the Final Plan.

- (xiv) That the owner dedicate to the Region of Hamilton-Wentworth a 0.30 metre reserve, shown as Block 166 along Rymal Road East. This reserve can be lifted after the owner has applied for and received site plan approval for the development of Block 161 for commercial uses.
- (xv) That the owner dedicate to the Region of Hamilton-Wentworth a 0.30 metre reserve, shown as Block 167 along Upper Sherman Avenue and Street "A". This reserve can be lifted after the owner has applied for and received site plan approval for the development of Block 160 for residential uses.
- (xvi) That Street "A" be established and constructed to its full width prior to the development of Lots 63 to 70 inclusive.
- (xvii) That Street "A" be established to its full width from Upper Sherman Avenue to the west limits of Street "B" prior to the development of all lots fronting on Street "B", Street "D", Court "G" and the east-west portion of Street "C" between Street "B" and the south-easterly limits of Street "E".
- (xviii) That the frontages outside the "day-lite triangles" for Lots 9 and 92 adjacent to the extension of Upper Sherman Avenue be a minimum of 3.5 metres in width and that the accesses to these lots must be located outside the daylight triangles at this intersection.
- (xix) That, on a temporary basis, the maximum number of residential units proposed on this and/or any abutting development plan, to be serviced by a single road access (eg dead end street), will not exceed 100 units.
- (xx) That Lots 32, 33, 34 and 35 not be registered until such time the Commissioner of Transportation/Environmental Services has advised the Director of Planning as to the need to extend Street "E" to provide access to the adjacent lands to the west owned by Ontario Hydro.
- (xxi) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;

- (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures, including remedial measures taken, after each rainfall to the satisfaction of the Senior Director, Roads Department;
 - (3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction.
-
- (xxii) That the final plan conform with the applicable provisions of the "RT-20" (Townhouse - Maisonette) District (Block 160), "C" (Urban Protected Residential, etc.) District (Lots 1-9, 15-20, 30-56, 80-92, 99-107, and 123-137 inclusive), and "R-4" (Small Lot Single - Family Dwelling) District (Lots 10-14, 21-29, 57-79, 93-98, 108-122 and 138-159 inclusive) in the City of Hamilton Zoning By-law No. 6593.
 - (xxiii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan.
 - (xxiv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act.
 - (xxv) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton.
 - (xxvi) That the streets be named to the satisfaction of the City of Hamilton.
 - (xxvii) That the streets be dedicated to the City of Hamilton as public highways in the final plan.
 - (xxviii) That the owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.
 - (xxix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (xxx) That Blocks 162, 163 and 164, on the red-line revised plan, must be developed in conjunction with adjacent lands.

(xxxi) That the Owner be required to retain the services of a Professional Engineer to conduct an Environmental Assessment Study for the implementation of the extension of Upper Sherman Avenue, south of Rymal Road East in order to provide access to the lands of Shermal Estates, and that said study address the following:

- (1) The interim and ultimate width of the travelled portion of Upper Sherman Avenue and the extent of lands required for road right-of-way purposes;
- (2) The interim and ultimate width of the travelled portion of the intersection of Rymal Road East and the extension of Upper Sherman Avenue and the extent of lands required for road right-of-way purposes;
- (3) The interim and ultimate size of day-lighting triangles for road right-of-way purposes at the intersection of Rymal Road East and the southerly extension of Upper Sherman Avenue; and,
- (4) Any other requirements deemed necessary by the Commissioner of Transportation/Environmental Services.

(xxxii) That the owner implement the recommendations of the Environmental Assessment Study to the satisfaction of the Commissioner of Transportation/Environmental Services.

(xxxiii) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands.

(xxxiv) That the owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

4. (a) That staff be directed to undertake a review and study respecting land use policies in the City relating to third party signs and billboards in the following zoning districts:

- . "G" (Neighbourhood Shopping Centre, etc.) District;
- . "G-1" (Designed Shopping Centre) District;
- . "G-2" (Regional Shopping Centres) District;
- . "H" (Community Shopping and Commercial, etc.) District;
- . "HH" (Restricted Community Shopping and Commercial) District;

- . "I" (Central Business District, etc.) District;
 - . "HI" (Civic Centre Protected Districts) District;
 - . "J" (Light and Limited Heavy Industry, etc.) District;
 - . "JJ" (Restricted Light Industrial) District;
 - . "K"(Heavy Industry, etc.) District;
 - . "KK" (Restricted Heavy Industrial) District, and;
 - (b) That the City Solicitor prepare, for Council's approval, an interim control by-law restricting billboard and third party signs in the Districts subject to the study.
5. (a) That approval be given to Site Plan Control Application DA-95-33 by Elite Realty Corporation, prospective owner of lands at 775 and 779 Upper Wentworth Street, as shown on the attached map marked as Appendix "E", for a commercial development subject to the following:
- (i) modification to the plans related to dimensions, notes, and driveway access ramps, as marked in red on the plans;
 - (ii) modification to the Landscape Plan to include proposed buffer plantings along the easterly property line, and landscape plantings on the adjacent lands to the east with the consent of the property owner;
 - (iii) submission of a revised grading plan to the satisfaction of the Manager of Development, Roads Department;

and further;

- (b) That in regard to Zoning Application ZAC-95-18, the following resolution be forwarded to City Council for approval;

That Item 3 of the Twelfth Report of the Planning and Development Committee to City Council on 1995 October 10, respecting Zoning Application ZAC-95-18 by Elite Realty Corporation, prospective owner, for lands at 775 and 779 Upper Wentworth Street, be amended by adding the following:

3.(b)(ii) 2.

- (a) Notwithstanding the provisions of Section 18A (1)(d) and Table 4, one (1) loading space having minimum dimensions of 9.0m x 3.7m shall be provided and maintained on the lot.

- (b) Notwithstanding the provisions of Section 18A (11)(a) of Zoning By-law 6593, a planting strip shall not be required along the northerly boundary.
 - (c) Notwithstanding the provisions of Section 18A (12)(c) of Zoning By-law 6593, a chain link fence not less than 1.2m in height and not greater than 2.0m in height, shall be provided and maintained along the northerly boundary and within the easterly boundary planting strip.
 - (d) Notwithstanding the provisions of Section 18A (26) of Zoning By-law 6593, the access driveway must be at least 1.5m from the east property line.
- 6.
 - (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 216 Burlington Street East demolished to bring the subject property into compliance with City of Hamilton Property Standards By-Law 94-185 and as authorized under The Planning Act, 1990 Subsection 20, Section 31 and specifically to do the work required to comply with the Final and Binding Order; and,
 - (b) That the Building Commissioner be authorized to issue a demolition permit for 216 Burlington Street East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended; and,
 - (c) That the appropriate by-law be enacted by Council.
- 7. That a Heritage Permit be approved for the following alterations to the Custom House/Ontario Workers' Arts and Heritage Centre, a designated building located at 51 Stuart Street, Hamilton:

Exterior Alterations:

- (a) Blocking up the four east basement windows on the north facade to be covered with a stucco finish, providing the original windows are kept in place and protected against deterioration; and,
- (b) Installing a barrier-free ramp on the east facade, as specified in the revised sketch dated 1996 March 7 as prepared by McCallum Mokrycke Sather Architects; and,
- (c) Stones for gates, parapet, chimneys, etc., which are to be stockpiled, to be stored on site; and,

Interior Alterations:

- (a) Installing clear span beams in the exhibition area (24'0"), including the removal of the existing piers (not original); cutting new beam pockets into the existing walls; recessing structural supports within the wall and restoring the lath and plaster finish to match the original interior wall; and,
 - (b) Installing new vestibule double doors at the east end of the ground floor corridor, to be of clear glass and frameless, if possible; and,
 - (c) Removing and reassembling window surrounds and replacing the stained glass (not original) with reconstructed arched windows.
8. (a) That Item 4 of the Planning and Development Committee Report 14-89, approved by Council on 1989 May 30, regarding the approval of the sum of \$7,000.00 representing the cash payment in lieu of 5% parkland dedication for "Ridgeview Estates - Phase 3" be deleted.
- (b) That the City of Hamilton accept the sum of \$16,100.00 as a cash payment in lieu of the 5% land dedication in connection with "Ridgeview Estates - Phase 3, Hamilton, being the cash payment required under Section 51 of the Planning Act.
9. (a) (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000.) to Marco and Fernando Tollis, c.o.b. as Riviera Banquet Centre Inc., for improvements to 422 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500.) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program, and;
- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000.) to Marco and Fernando Tollis, c.o.b. as Riviera Banquet Centre for exterior storefront improvements to 422 Barton Street East be approved, subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500.) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, eight hundred and seventy three dollars (\$1,873.) be approved for Olga Bashnuk, 45 Dalhousie Avenue. The interest rate will be 8 per cent amortized over 5 years.
11. That the Building Commissioner be authorized to issue a demolition permit for 576 Burlington Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
12. That the Building Commissioner be authorized to issue a demolition permit for 499 Scenic Drive in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
13. (a) That approval be granted to application CDM-CONV-95-001 submitted by Roy Megna (In Trust), owner, for a draft plan of condominium located at 174 Herkimer Street to provide for a condominium comprised of a 5 storey apartment building containing 19 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated March 25, 1995 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593 namely the number and actual dimensions of parking spaces, manoeuvring spaces, access driveway and the angle of the parking spaces.
 - (iv) That the owner shall have satisfied one of the following requirements in regard to the parking space(s) located within the road allowance of Herkimer Street:

- (1) that the owner enter into Boulevard Parking Agreement with the City of Hamilton to the satisfaction of the Director of Public Works and Traffic, or
- (2) that the owner remove the existing paving and restore the road allowance to a landscaped condition.
- (v) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-001);
- (vi) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
- (vii) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
- 14. (a) That the City attempt to obtain the consent of the Hamilton Harbour Commissioners for an adjournment of the Ontario Municipal Board Hearing scheduled to commence on 1996, June 17;
- (b) That in the event that the Hamilton Harbour Commissioners will not consent to an adjournment, the City request the Ontario Municipal Board by motion to adjourn the June hearing at the next prehearing conference on 1996, April 9; and
- (c) That in the event the Ontario Municipal Board does not grant an adjournment of the hearing, the City appeal that decision of the Board.
- 15. That Item 2 of the SIXTH report of the Planning and Development Committee to Council for 1995 regarding authorization for staff attendance at an OMB Hearing regarding a Committee of Adjustment decision for property located at 121 Ivon Avenue be rescinded in part respecting 121 Ivon Avenue only.
- 16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-14 A By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 216 Burlington Street East.

1996 March 26

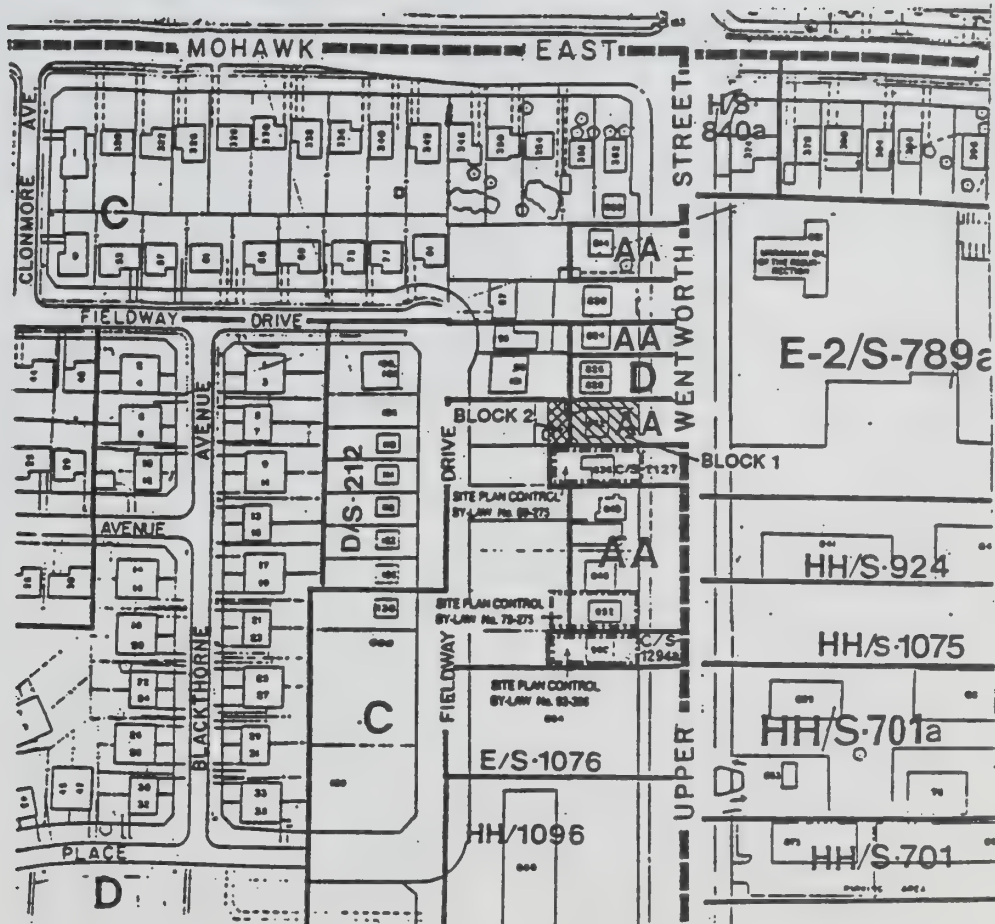
- (b) C-15 A By-law to amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 141 Queenston Road.
- (c) C-16 A By-law to establish Site Plan Control Respecting Land Located at the Rear of Municipal No. 141 Queenston Road.
- (d) C-17 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located Within the city of Hamilton Formerly Under development Control Regulations of the Niagara Escarpment Commission.
- (e) C-18 A By-law Respecting the Regulation of Billboards/Third Party Signs.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**



**Tina Agnello, Secretary
1996 March 20**

Appendix "A" referred to in Section 1. (a) of the FIFTH Report of the Planning and Development Committee for 1996.



Legend

Proposed changes in zoning:

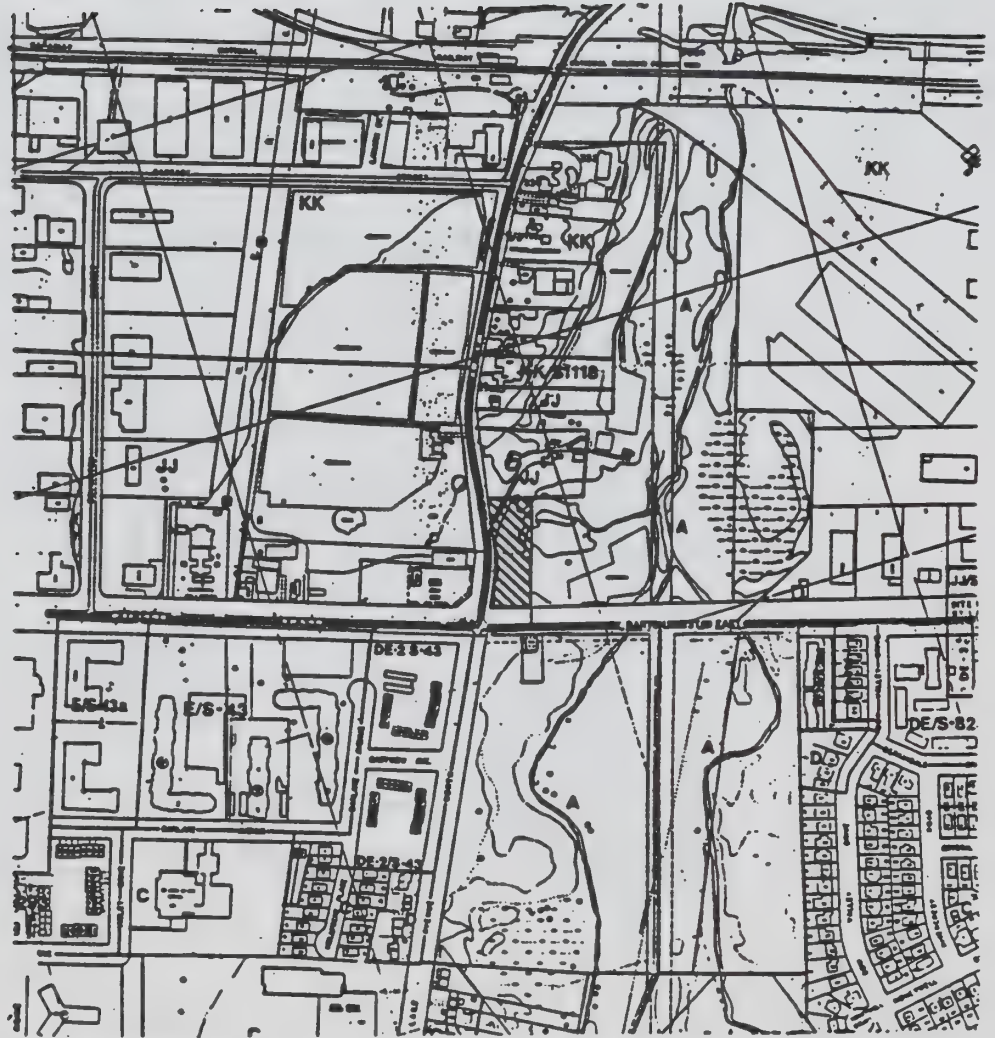
- | | | |
|-------------------------------|---|---|
| <p>BLOCK 1</p> <p>BLOCK 2</p> |   | <p>From "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, Modified.</p> <p>From "C" (Urban Protected Residential, etc.) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, Modified.</p> |
|-------------------------------|---|---|



APPENDIX "A"

1996 March 26

Appendix "B" referred to in
Section 2. (a) of the **FIFTH** Report
of the Planning and Development
Committee for 1996.



Legend

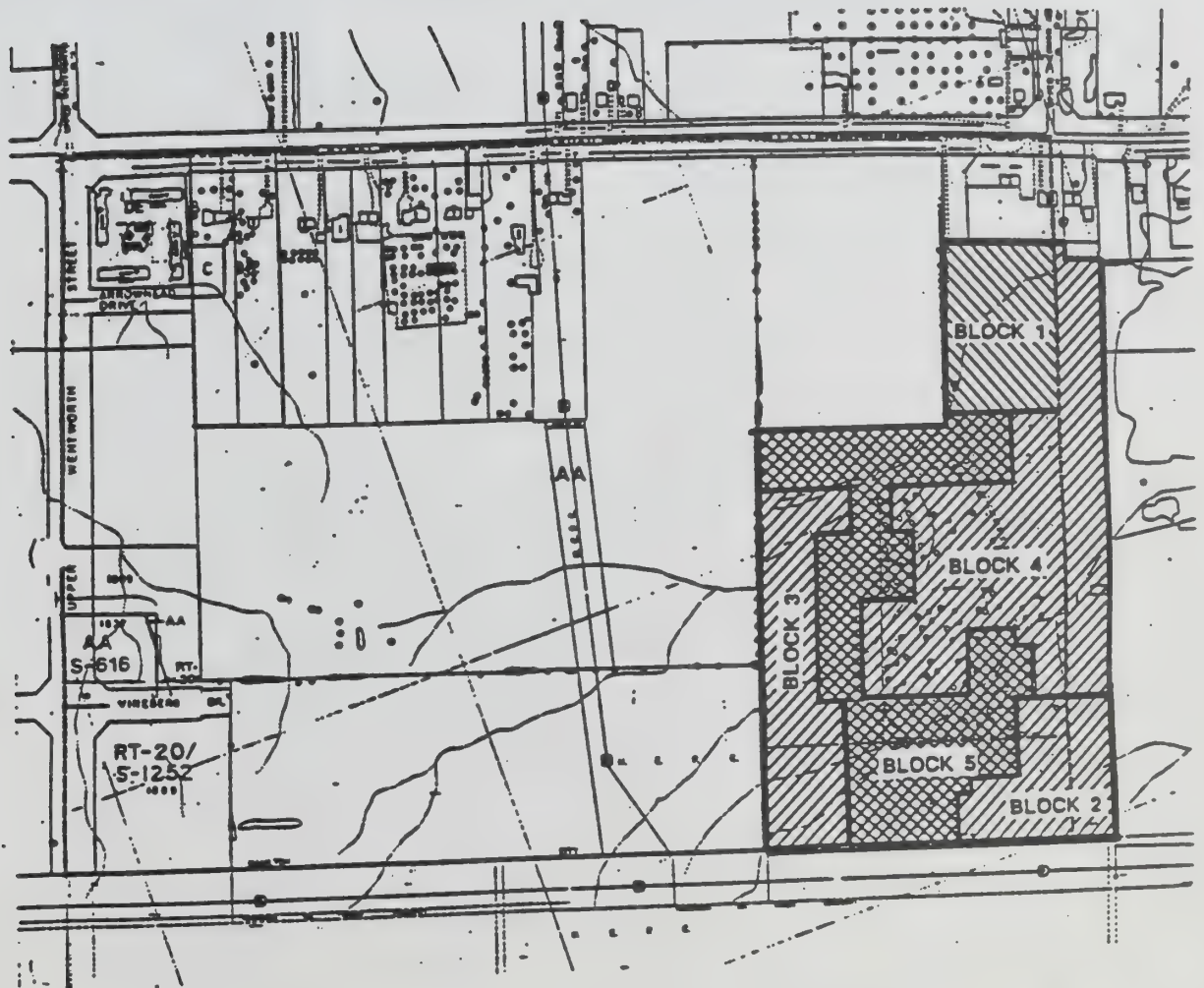


Site of the Application






1996 March 26

Appendix "C" referred to in
Section 3. (a) of the FIFTH Report
of the Planning and Development
Committee for 1996.



Legend

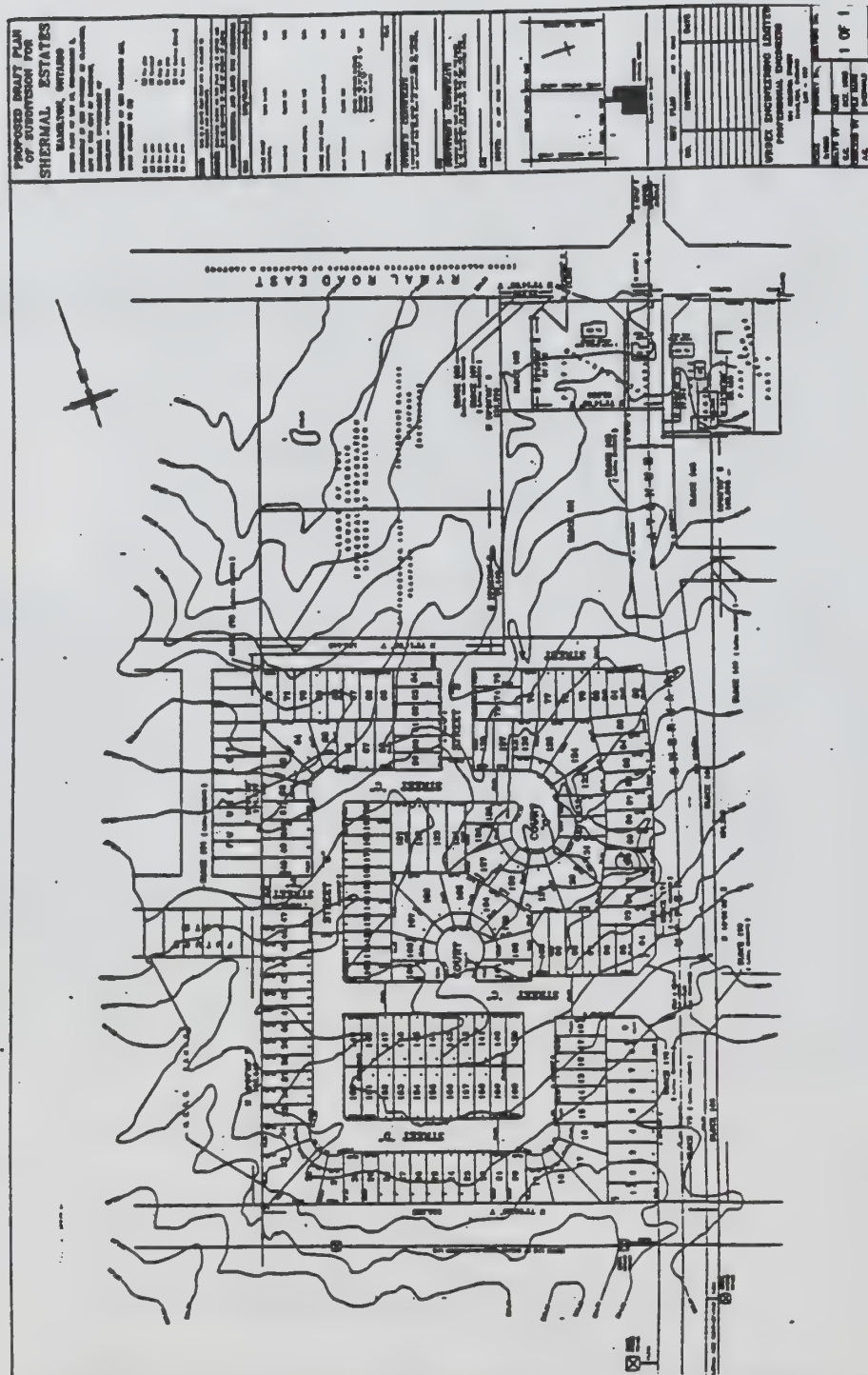
Proposed change in zoning from "AA" (Agricultural) District to :

- | | | |
|------------------|---|---|
| BLOCK 1 |  | "RT-20" (Townhouse - Maisonette) District. |
| BLOCKS 2,3 and 4 |  | "C" (Urban Protected Residential, etc.) District |
| BLOCK 5 |  | "R-4" (Small Lot Single-Family Dwellings) District. |

ZAC-94-22

1996 March 26

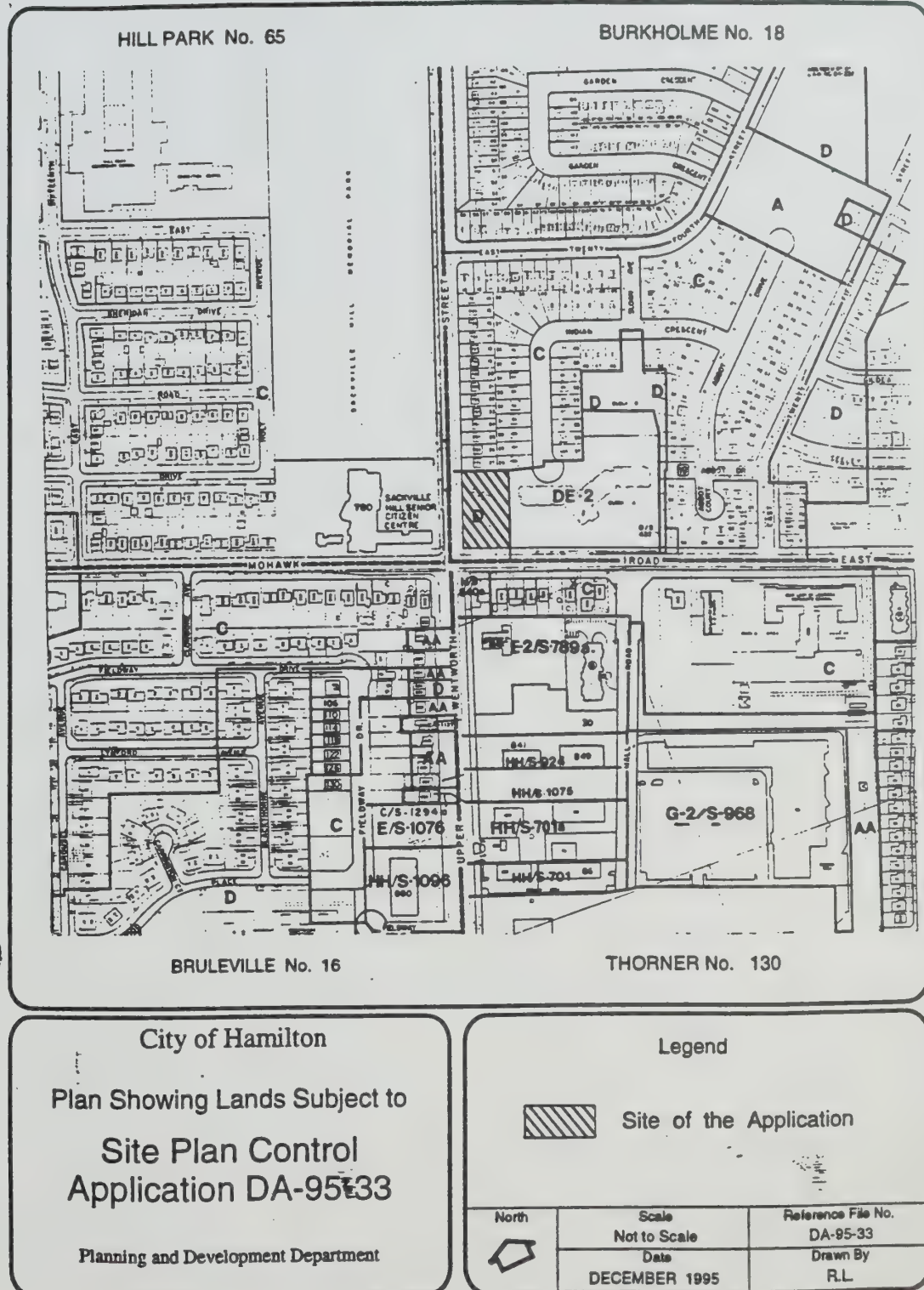
Appendix "D" referred to in Section 3. (a) (i) of the **FIFTH** Report of the Planning and Development Committee for 1996.



Schematic red-line revised Draft Plan showing road and lotting pattern

1996 March 26

Appendix "E" referred to in
Section 5. (a) of the **FIFTH** Report
of the Planning and Development
Committee for 1996.



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. That the Regional Municipality of Hamilton-Wentworth assume responsibility for the regulation of Second Level Lodging Houses.
2. (a) That the City decline the Plaintiff's Offer to Settle in Ontario Court (General Division) Action No.29000/91 made in the following terms:
 - (i) Plaintiff to receive \$18,000 in damages plus pre-judgment interest; and,
 - (ii) Plaintiff to receive lost income in the amount of \$2,856 plus pre-judgement interest; and,
 - (iii) Plaintiff to receive cost of dental work in the amount of \$1,280.22; and,
 - (iv) Plaintiff to receive 60% of OHIP's subrogated claim; and,
 - (v) Plaintiff to receive party/party costs; and,
- (b) That the City make an Offer to Settle in Ontario Court (General Division) Action No. 29000/91 in the following terms:

That the City will settle all outstanding issues in this Action on the following basis:

 - (i) That if this Offer to Settle is accepted on or before 4:59 p.m. 1996 April 30, the City will pay to the Plaintiff \$4,000 inclusive of all claims for damages, interest and costs; and,
 - (ii) That if this Offer to Settle is accepted after 4:59 p.m. 1996 April 30, the City will pay to the Plaintiff \$2,500 inclusive of all claims for damages, interest and costs; and,
 - (iii) That the Plaintiff will execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (iv) That this Action shall be dismissed without costs; and,
 - (v) That this Offer remains open for acceptance until withdrawn or until the commencement of trial whichever first occurs.
- 3.
 - (a) That the City resolve Ontario Court (General Division) Action No. 6272/94 by the payment to the Plaintiffs, Olive and George Preston of the amount of \$4,658.10 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6272/94 be dismissed without costs.
- 4.
 - (a) That the City agree to proceed with the Appeal of the Retail Sales Tax Act assessment on rock salt instituted as Ontario Court (General Division) Action No. 94CQ-57461; and,
 - (b) That the Treasurer and City Solicitor be authorized to negotiate an Agreement for the sharing of legal fees between municipalities which participate in the Appeal; and,
 - (c) That if the appeal is successful the City's share of legal fees be deducted from its recovery of Retail Sales Tax; and,
 - (d) That if the Appeal is unsuccessful the City's share of legal fees be charged to Account No. CH 55199-24201.
- 5. That approval be given to the request of The Elizabeth Fry Society, Hamilton Branch, to use the City Hall Forecourt and related equipment on Sunday, 1996 May 5 from 11:30 a.m. to 3:30 p.m. for a Walk-a-thon.
- 6. That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1996, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

<u>Supplier</u>	<u>Material</u>	<u>Unit Pricing</u>	<u>Unit Pricing</u>
		Tractor Trailer	Tri-Axle Tandem
(i) Lakeview Sand & Gravel	Granular 'A'	\$ 7.20	\$ 7.20
(ii) Redland Quarries	Granular 'A'	7.35	7.85
(iii) Taro Aggregates Ltd.	19mm Clear	8.50	9.00
(iv) Redland Quarries	9.5mm Chips Washed	11.25	11.75
(v) Taro Aggregates Ltd.	53mm Clear	8.50	9.00
(vi) Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
(vii) Redland Quarries	Athlete Field Lime	16.00	16.50
(viii) Redland Quarries	19mm Crusher Run	7.35	7.85
(ix) Lakeview Sand & Gravel	19mm Crusher Run	7.40	7.40
(x) Redland Quarries	53mm Crusher Run	7.35	7.85
(xi) Redland Quarries	Rubble Stone	15.50	16.00
(xii) Redland Quarries	75-200mm Gabion Stone	15.10	15.60
(xiii) Redland Quarries	9.5mm Screenings	8.00	8.50
(xiv) Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.50

* All prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

<u>Sidewalk, Curb & Roadway Concrete</u>	<u>Delivered</u>	<u>Picked Up</u>
Dufferin Concrete Products, Hamilton	\$ 94.55	\$ 82.55
Lafarge Construction Material, Hagersville	96.75	96.75
Independent Ready Mix Concrete, Hannon	100.00	98.00

Unshrinkable Fill

Dufferin Concrete Products, Hamilton	\$47.00	\$ 40.10
Independent Ready Mix Concrete, Hannon	49.00	45.50
Lafarge Construction Material, Hagersville	58.00	58.00

* All prices are on a cubic metre basis.

(c) Asphaltic Concrete and Bituminous Materials

Asphalt Surface Course (H.M.3)

Capital Paving, Guelph	picked up	\$ 38.80
Lafarge Construction Materials, Hamilton	picked up	42.50
Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	43.00

Asphalt Binder Course (H.M.5)

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$ 42.00
Lafarge Construction Materials, Hamilton	picked up	42.00
Capital Paving, Guelph	picked up	43.00

HLS030 Hot Lay, HL-3(HS) Asphalt

Cayuga Materials & Construction Co. Ltd, Cayuga	picked up	\$ 43.00
Capital Paving, Guelph	picked up	43.00
Lafarge Construction Materials, Hamilton	picked up	44.00

Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold		0.2588
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Additional Cost to Supply a Tank for Duration of Contract

Norjohn Ltd., Thorold		No Charge
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Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold	CRS-2	delivered	0.2588
Norjohn Ltd., Thorold	CRS-2 Latex Modified	delivered	0.3195

Hot Liquid Asphalt

Lafarge Construction Materials, Hamilton	picked up	\$ 5.00L
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Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials, Brantford	picked up	\$ 75.00
Lafarge Construction Materials, Hamilton	picked up	80.00
TCG Materials, Brantford QPR2000 Fine	picked up	85.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials, Brantford	delivered	\$ 75.00
Lafarge Construction Materials, Hamilton	delivered	85.00
TCG Materials, Brantford QPR2000 Fine	delivered	85.00

Crack Sealing Material

McAsphalt Industries Ltd, Scarborough	delivered	.2485/lb.
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* All prices are on a per tonne basis unless otherwise noted.

(d) Chemicals

Pollard Highway Products

Flake Calcium Chloride	delivered	\$0.3490
Liquid Calcium Chloride	delivered	\$0.1050

- * All prices are per KG.
- * GST and PST extra where applicable in all sections.

7. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

293 Wellington North	350 Ferguson North
216 West 33rd	

- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and Extension Agreements.

8. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 March 7, attached herewith and marked Appendix "A", be approved.

9. (a) That the administration of the Elderly Citizens Tax Credit Program be transferred from the City Clerk's Department to the Treasury Department effective 1996 April 1; and,

- (b) That in conjunction with this transfer, the following changes in the administration of the Elderly Citizens Tax Credit Program be approved:

- (i) That in an effort to streamline the process and reduce costs, the City discontinue the annual practise of mailing affidavits to all eligible elderly citizens and implement the following process:

- (1) That all elderly citizens who received the tax credit in the prior year be automatically granted a tax credit in the current year provided there has been no changes in status on the assessment rolls which affect their eligibility; and,

- (2) That affidavits be mailed once only to those elderly citizens:
 - (a) Who appeared to be eligible in the prior year but did not return an affidavit for processing; and,
 - (b) Whose eligibility status has changed on the assessment rolls from the previous year and still appear to be eligible; and,
 - (c) Who appear to have met the eligibility criteria for the first time; and,
 - (3) That the City place an advertisement in the Hamilton Spectator on Saturday, 1996 March 30 as well as an insertion with the 1996 May Realty Tax bill/notification, advising elderly citizens of the changes in the administration of the Elderly Citizens Tax Credit Program.
- 10.
 - (a) That the request for Property Tax relief from the Royal Canadian Legion Branch 58 for 1994 and 1993 in accordance with the Policy on Tax exemption for Veteran's Associations adopted by City Council on 1981 September 29, be approved in the amount of \$21,685.32; and,
 - (b) That this exemption be charged to Account CH 53319 24102 Property Tax Relief; and,
 - (c) That this exemption reflects the first and second years of ten years that the policy allows for this exemption and will require applications for future years on a yearly and per need basis.
- 11. That the "Hours of Work Policy" attached herewith and marked Appendix "B", be approved so that the City of Hamilton staff have the increased flexibility to schedule their hours of operation to be more responsive to the needs of the Community.
- 12.
 - (a) That the Chairman of the Finance and Administration Committee and the Chairman of the Planning and Development Committee meet with Duncan Beattie, Chairman of the Harbour Commissioners and Pat Dillon, Federal Representative on the Harbour Commission, as an exploratory session on the position adopted by City Council at its meeting held 1996 February 13, and the position of the Harbour Commissioners on the future of Hamilton Harbour, in preparation for the discussion with the local Members of Parliament; and,

- (b) That in light of the delay in the Federal timetable for the National Marine Policy legislation, that the City pursue the appropriate avenues to obtain a continuation of the OMB Adjournment, scheduled to reconvene on 1996 April 9, in order to avoid potentially unnecessary legal costs.
- 13. That the City Solicitor be directed to take all necessary steps, including court action, to recover from The Hamilton & District Labour Council, all costs of site preparation, clean up and site restoration arising out of the Labour Council's use of Dundurn Park and Bayfront Park on 1996 February 23rd and 24th.
- 14.
 - (a) That the Secretary-General, Canadian Radio-Television Commission (CRTC), Ottawa, K1A 0N2, be advised that the Council of the Corporation of the City of Hamilton supports the application of the Crossroads Television System, P.O. Box 5100, 1295 North Service Road, Burlington, L7R 4M2, for a new 24-hour television station in Burlington based upon the provision of a non-violence and value-based television service; and,
 - (b) That the C.R.T.C. be urged to approve Licence Application #95-1573500.
- 15.
 - (a) That the Business Plan for Grey Cup '96 dated 1996 February 2 be received and approved; and,
 - (b) That the Treasurer be authorized to advance the balance of the \$1,210,000 of the total approved allocation of \$1,520,000 in accordance with a payment schedule satisfactory to the City Treasurer, City Clerk and the Finance and Administration Committee; and,
 - (c) That for the information of the members of City Council, copies of the Confidential Business Plan dated 1996 February 2 were distributed to members of the Finance and Administration Committee, and are available from the Committee Secretary.
- 16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-14 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-15 A By-law to Amend Body Rub Parlour By-law No. 76-32 respecting Licence Fees.

1996 March 26

- (c) D-16 A By-law to Amend Licensing By-law No. 93-069 respecting Public Halls.
- (d) D-17 A By-law to Amend Schedule 4 of Licensing By-law 93-069 respecting Interior Advertising in Taxi-Cabs.
- (e) D-18 A By-law to Amend Adult Video Store By-law No. 95-173 respecting Licence Fees.
- (f) D-19 A By-law to Amend Adult Entertainment Parlour By-law No. 79-144 respecting Licence Fees.
- (g) F-20 A By-law to Authorize 1996 Debenture Project and Amount.
- (h) D-21 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 March 19**

1996 March 26

Appendix "A" referred to in Section 8 of the SIXTH Report of the Finance and Administration Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Bowley	I	Foreman III (F2)	Public Works	Replacing Mr. R. Duckworth - promoted June 30/95	\$39,884.00 to \$45,843.20	Feb. 26/96
Mr. Paul Buckle	I	Traffic Legislative Specialist (14)	Traffic	New Position Council Approved December 12, 1995	\$32,575.92 to \$37,020.36	Feb. 19/96
Mr. J.P. Doyle	I	Captain (C8)	Fire	Replacing Mr. R. Divinski - retired, Oct. 31/94	\$61,750.44	Feb. 11/96
Mr. P. Galinis	I	Captain (C8)	Fire	Replacing Mr. P. Marchese - promoted, May 8/94	\$61,750.44	Feb. 11/96
Mr. P. Gallacher	I	Captain (C8)	Fire	Replacing Mr. D. Factor - promoted, May 8/94	\$61,750.44	Feb. 11/96

Prepared March 7, 1996

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Morden	Sanitation Worker	Public Works	Deceased	18 years, 10 months	Feb. 14/96

Prepared March 7, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

CITY OF HAMILTON

HOURS OF WORK POLICY

POLICY: Hours of work shall be designed to ensure the efficient administration and delivery of service to the general public.

The Corporation of the City of Hamilton supports a working environment that assists employees in balancing work and personal responsibilities. This commitment shall be reflected through the implementation of flexible working arrangement procedures and programs.

SUBJECT: HOURS OF WORK

Office Hours

The normal hours of work are 9:00 a.m. to 5:00 p.m. Monday through Friday, and include one - one hour meal break (unpaid), and two - 15 minute rest breaks (paid).

Shift Hours

Employees employed in a Department or Section which provides service beyond normal office hours shall, when required to do so, work on various shifts throughout the twenty-four (24) hours of the day and seven (7) days per week.

Flex Hours

Departments which operate on normal office hours may implement flex time on the approval of the Department Head and subject to staffing requirements of the Department. The "core hours" of the flex time schedule shall be between the hours of 10:00 a.m. and 3:00 p.m.

Other Departments may also implement flex time on approval of the Department Head who may define "core hours".

Compressed Work Week

Departments who wish to operate on a compressed work week must obtain

- (a) if applicable, the agreement of the Local Union, and/or,
- (b) the agreement of each of the employees involved, and,
- (c) the approval of the Director of the Employment Standards Branch of the Ministry of Labour.

A compressed work week is a week in which the normal work day is extended beyond the norm to allow for the same number of hours to be worked in a week in a lesser number of days.

The above requirements also apply to departments applying the same principle over more than a one week period.

Daylight Saving

On the date fixed by the Daylight Saving Time Act, regular hours of work shall be extended to include the additional hour and additional payment shall be due at the overtime rate. Likewise on the resumption of Standard Time, the resultant reduction shall be effected with appropriate reduction in regular earnings.

Exceptions

Specific Departments or Sections may utilize different hours of work and shift schedules in order to provide adequate service. These hours and conditions shall be posted and may be contained in individual Collective Agreements.

**NOTICE OF MOTION
FROM PREVIOUS MEETING**

NOTICE OF MOTION FOR NEXT MEETING - MARCH 26, 1996

(Notice given - February 27, 1996)

Alderman V. J. Agro gave notice that he would move at the next regular meeting of City Council the following:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 MARCH 26
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Authorize:

**DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT**

216 BURLINGTON STREET EAST

WHEREAS a Notice dated the 31st of October, 1994 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, 1990;

AND WHEREAS an Order dated the 2nd of June, 1995 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74, as amended and By-Law No. 94-185 which continues as the Property Standards By-Law and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 39(1)(a)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land known as municipal number Address, more particularly described in the attached Schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth (formerly in the County of Wentworth) in the Province of Ontario, being composed of part of Lot Number 45 according to plan of survey made for Archibald Ferguson and registered in the Registry Office for the Registry Division of Wentworth as Plan Number 327, and which may be more particularly described as follows, that is to say:

COMMENCING at a stake planted in the southern limit of Burlington Street at north-eastern angle of said lot number 45;

THENCE westerly along the southern limit of Burlington Street twenty-two feet and nine and one-quarter inches (22' x 9¼") more or less to a point in a line drawn parallel with and distant one foot and eight inches (1'8") measured easterly at right angles from the eastern face of the eastern wall of the frame dwelling erected upon the lands immediately adjoining on the west and known as Number 214 Burlington Street East;

THENCE southerly and parallel with the eastern face of the said wall forty feet and two inches (40'2") more or less to a point opposite the southern face of the southern wall of the said dwelling Number 214 Burlington Street East, the said point being distant twenty-one feet and two inches (21'2") measured easterly parallel with the southern limit of Burlington Street from the western limit of said lot number 45;

THENCE easterly and parallel with the southern limit of Burlington Street two feet (2') more or less to a point in the line of a present existing fence;

THENCE southerly along the line of the said present existing fence one hundred and forty feet (140') more or less to a point in the southern limit of the said lot;

THENCE easterly along the southern limit of the said lot twenty-two feet and eight inches (22'8") more or less to the south-eastern angle of the said lot;

THENCE northerly along the eastern limit of the said lot one hundred and eighty feet and two inches (180'2") more or less to the place of beginning.

On the above described parcel of land is erected frame dwelling know as Number 216 Burlington Street East.

TOGETHER with the right to pass over, along and upon and use as a right-of-way the eastern one foot and eight inches (1'8") of the land immediately adjoining on the west for a depth southerly from the southern limit of Burlington Street forty feet two inches (40'2") being part of the said lot 45.

SUBJECT by the right of the owners, tenants and occupants of the frame dwelling erected upon the lands immediately adjoining on the west and known as Number 214 Burlington Street East to pass over, along and upon and use as a right-of-way the western one foot and eight inches (1'8") of the herein described parcel of land for a depth southerly from the southern limit of Burlington Street of forty feet and two inches (40'2").

(As in Deed No. 71554 C.D.)

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 141 QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-124 and E-125 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" - 'H' (Small Lot Single Family Dwelling - Holding) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, the land comprised in Block 2; and
- (c) by changing from "G-3" (Public Parking Lots) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbols referred to in section 1 shall be removed conditional upon the applicant entering into satisfactory servicing arrangements, agreements and/or easements for municipal storm and sanitary sewers, and water services with the Region to the satisfaction of the Roads and Environmental Services Department.

(b) The 'H' symbols shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "R-4" District and "H" District provisions, subject to the special requirements referred to in section 3 of this by-law.

3. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands referred to in section 1(b) and 1(c) are amended to the extent only of the special requirements that,

- (a) notwithstanding section 14. of Zoning By-law No. 6593, only an auto repair garage except paint and autobody repair and a manual carwash consisting of eight (8) bays, shall be permitted;
- (b) notwithstanding Section 14.(1)(xvi) of Zoning By-law No. 6593, only one (1) business identification sign that is a wall sign and having vertical dimension of not more than 0.6 metres, and area of not more than 5.6 square metres shall be permitted;
- (c) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination; and
- (d) a landscape barrier not less than 6.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire northerly boundary of Block 2, where the lot adjoins a residential district.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1347.

6. Sheets No. E-124 and E-125 of the District Maps are amended by marking the lands referred to in section 1(b) and 1(c) of this by-law, S-1347.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

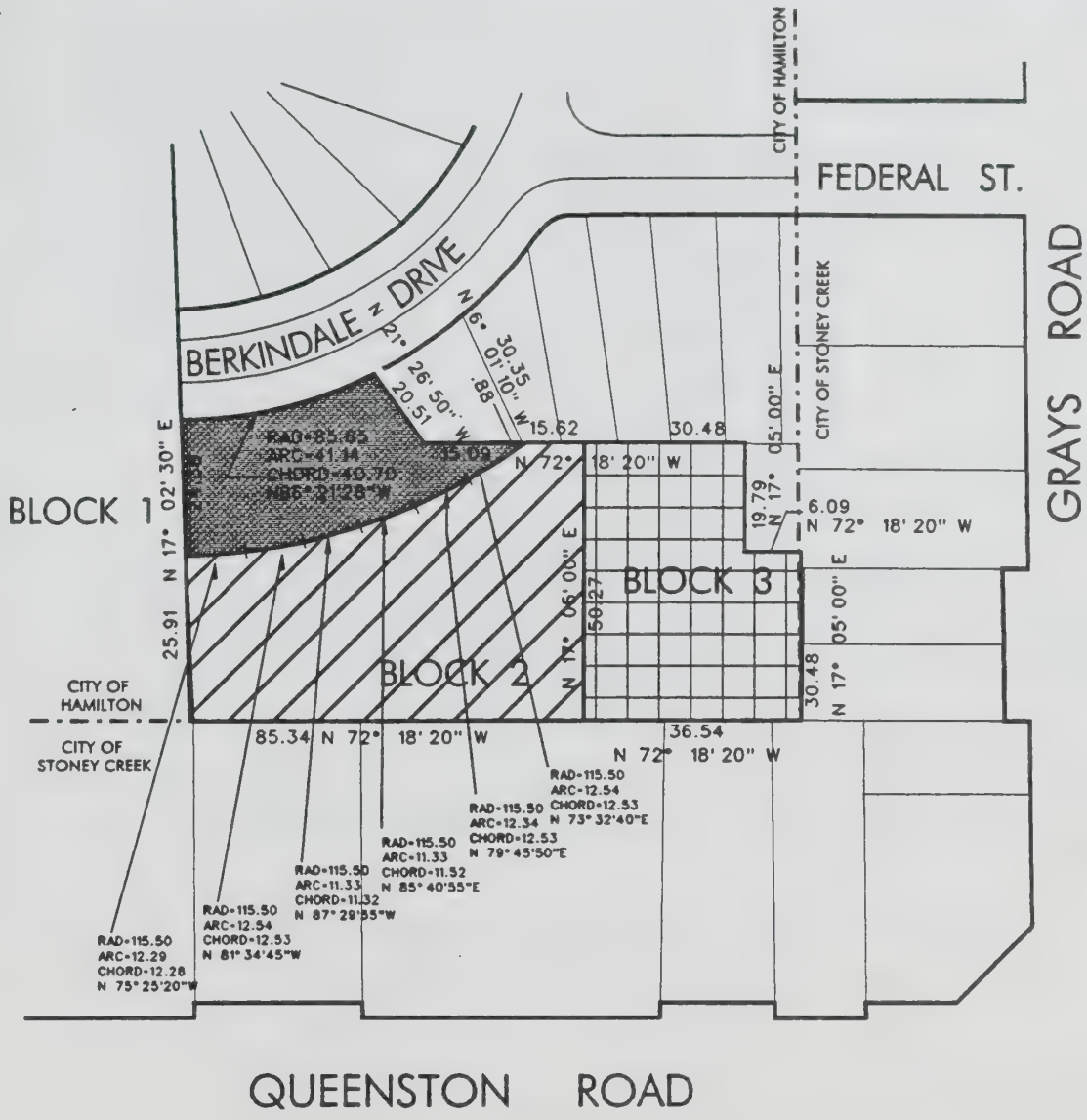
PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

(1995) 18 R.P.D.C. 2, September 26
1104729 Ontario Ltd., (Alan Goulding), Owner
Amended ZA-95-11



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-_____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLOCK 1** [Pattern] "AA" (Agricultural) District to "R-4" - "H" (Small lot Single Family Dwelling - Holding) District
- BLOCK 2** [Pattern] "AA" (Agricultural) District to "H" - "H" (Community Shopping and Commercial, etc. - Holding) District, modified.
- BLOCK 3** [Pattern] "G-3" (Public Parking Lots) District, modified to "H" - "H" (Community Shopping and Commercial, etc. - Holding) District, modified.

North



Scale

NOT TO SCALE

Date

February 1996

Reference File No.

ZAR-95-11

Drawn By

W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 141 QUEENSTON ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 157. Land located at the rear of Municipal No. 141 Queenston Road, shown on Appendix 157 hereto annexed and forming part of this by-law.
2. Appendix 157 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

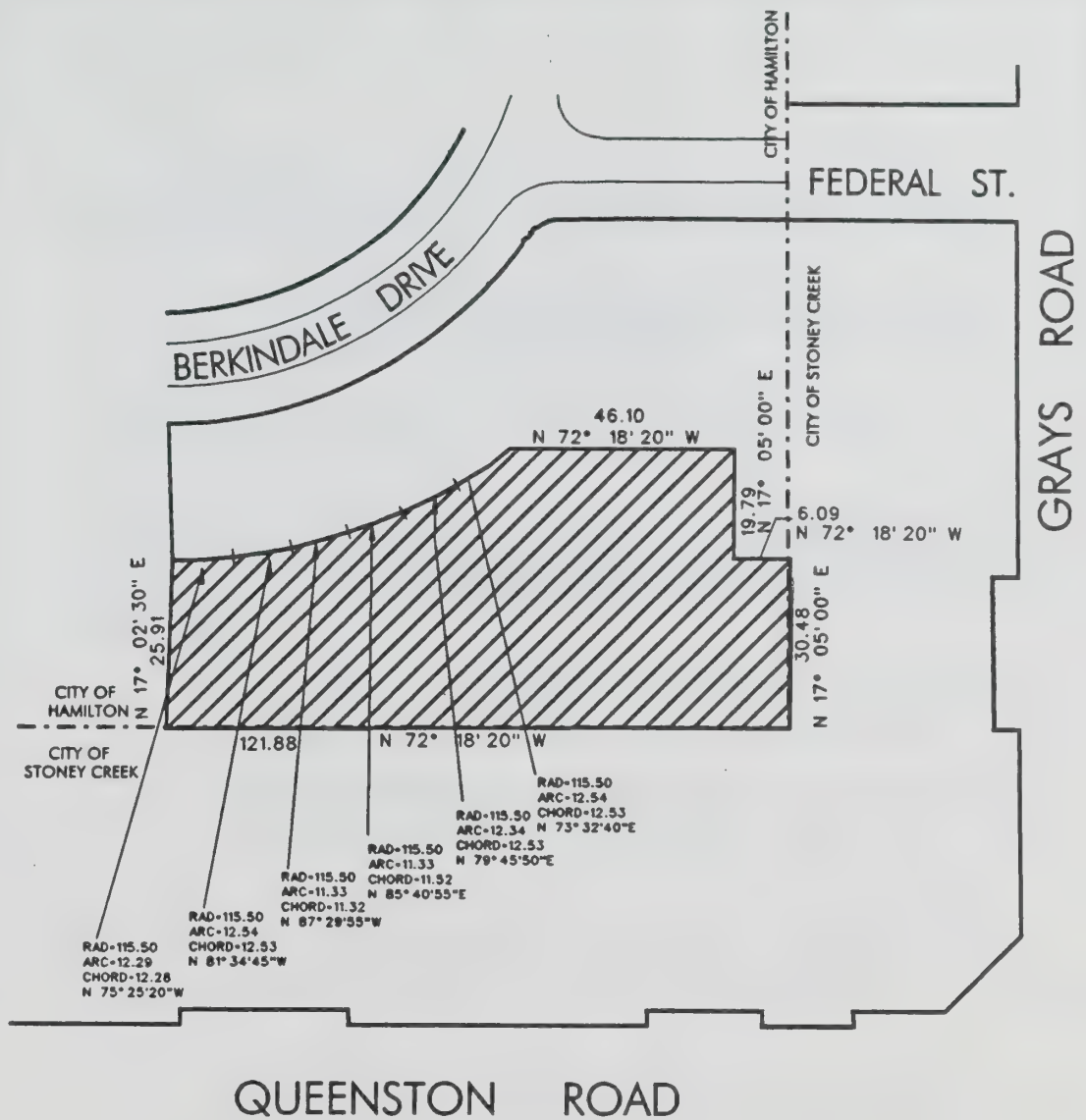
PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Appendix 157 to By-Law No. 79-275 as Amended By-Law No. 87-223

Planning and Development Department

Legend

BLOCK 2



Lands designated under this By-Law
as an area of Site Plan Control pursuant
to section 41 of the Planning Act,
R. S. O., 1990

North



Scale
NOT TO SCALE

Date
February 1996

Reference File No.
ZAR-95-11

Drawn By
W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WITHIN THE CITY OF HAMILTON
FORMERLY UNDER DEVELOPMENT CONTROL REGULATIONS
OF THE NIAGARA ESCARPMENT COMMISSION**

WHEREAS the lands hereinafter referred to in this by-law,

- (a) are within the limits of the City of Hamilton;
- (b) were under Development Control of the Niagara Escarpment Commission;
- (c) are some of the lands designated "Urban Area" in the Niagara Escarpment Plan;

AND WHEREAS on May 4, 1994 the Commission received a request from the City of Hamilton to remove all Development Control lands designated Urban Area in the Niagara Escarpment Plan;

AND WHEREAS the Minister of Environment and Energy advised the City that he would support the transfer of urban areas to the municipal control where Zoning By-laws are in conformity with the Niagara Escarpment Plan;

AND WHEREAS it is required to revise the zoning by-laws of the City upon the lands hereinafter described to be consistent with the requirements and the practices of the Niagara Escarpment Commission regarding height restrictions and setbacks between the brow of the escarpment and development;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-66 and E-67 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Agriculture) District, the lands comprised in Block 1 (both portions), Blocks 2, and 3,

the extent and boundaries of each of which Block 1 (both portions), Blocks 2, and 3 are shown on a plan hereto annexed as Schedules "A" and "A-1".

2. The "A" (Conservation, Open Space, Park and Recreation, etc.) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to the lands comprised of Blocks 4, 5, and 6, the extent and boundaries of each of which are shown on a plan hereto annexed as Schedules "A-2" and "A-3", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys, and no structure shall exceed 11 m (36.09 feet) in height; and
- (b) notwithstanding Section 7.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.

3. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to the lands comprised of Blocks 7 and 8, the extent and boundaries of which are shown on a plan hereto annexed as Schedules "A-4" and "A-5", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys, and no structure shall exceed 11 m (36.09 feet) in height; and
- (b) notwithstanding Section 7A.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.

4. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to the lands comprised of Block 9, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A-6", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys, and no structure shall exceed 11 m (36.09 feet) in height; and
- (b) notwithstanding Section 8.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.

5. The "B-1" (Suburban Agriculture and Residential, etc) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to the lands comprised of Block 10, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A-6", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys, and no structure shall exceed 11 m (36.09 feet) in height.

6. The "B-2" (Suburban Residential) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to the lands comprised of Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 8B.(4) of By-law No. 6593, the minimum lot area shall not be less than 491 m².

7. The "B-2" (Suburban Residential) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to the lands comprised of Block 1 (both portions) and Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and "A-1", are amended to the extent only of the special requirement that,

- (a) for the purposes of this by-law, the rear lot line shall be defined as the "toe-of-slope".

8. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised of Block 4a, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A-2", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys, and no structure shall exceed 11 m (36.09 feet) in height.
- (b) notwithstanding Section 9.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.

9. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A", "AA", "B", "B-1", "B-2" and "C" District provisions, subject to the special requirements referred to in sections 2, 3, 4, 5, 6, 7 and 8.

9. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1353.

10. Sheets No. E-66, E-67, E-6, E-15, E-35, E-46, E-69, E-69a, E-69b, E-69c, W-35, W-36, W-42, W-6, W-7 and W-15 of the District Maps are amended by marking the lands referred to in section 2, 3, 4, 5, 6, 7 and 8 of this by-law, S-1353.

11. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 3. R.P.D.C. 1, February 20
City Initiative 94-H

N 86° 14' 50" E
39.548

236.600

N 30° 45' 10" W

BLOCK 1

MONTROSE AVENUE

300.646

KIMBERLY DRIVE

N 30° 45' 10" W

DRIVE

FERNDAL AVENUE

N 86° 14' 50" E
N 30° 45' 10" W

N 30° 45' 10" W

N 86° 14' 50" E

N 75° 11' 40" W

39.548

12.548

18.2

27.0

27.0

39.548

22.818

41.717

9.546

18.2

12.2

18.2

27.0

27.0

39.548

12.548

18.2

27.0

27.0

39.548

12.548

18.2

27.0

27.0

39.548

12.548

18.2

27.0

27.0

DUNDONALD AVE.

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

BLOCK 1

"A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.

BLOCK 2

"A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.

North

Scale

Not to Scale

Date

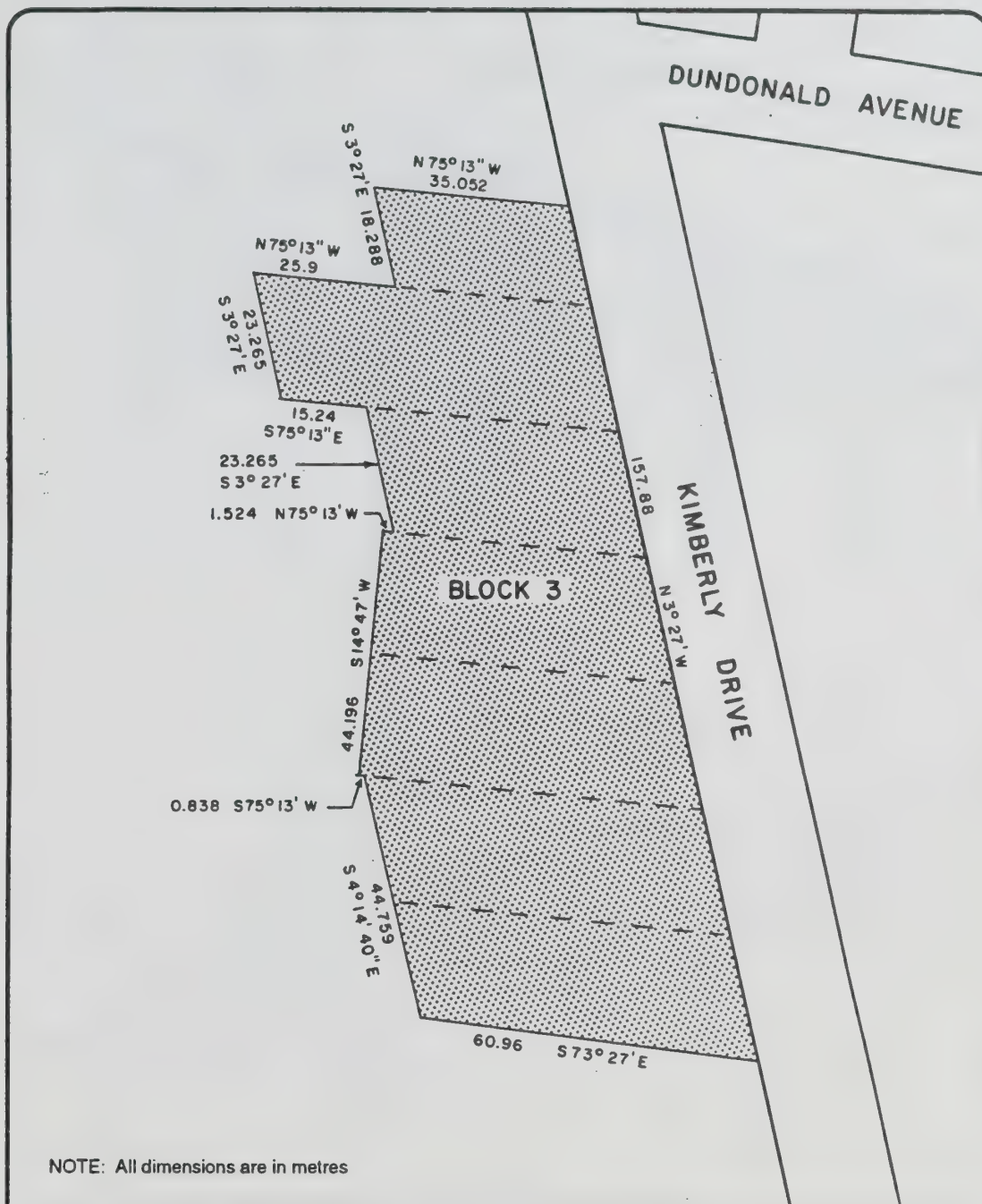
JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By

Z.K.



NOTE: All dimensions are in metres

This is Schedule "A-1" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A-1

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"A" (Conservation, Open Space,
Park and Recreation, etc.) District
to "B-2" (Suburban Residential)
District, modified.

North

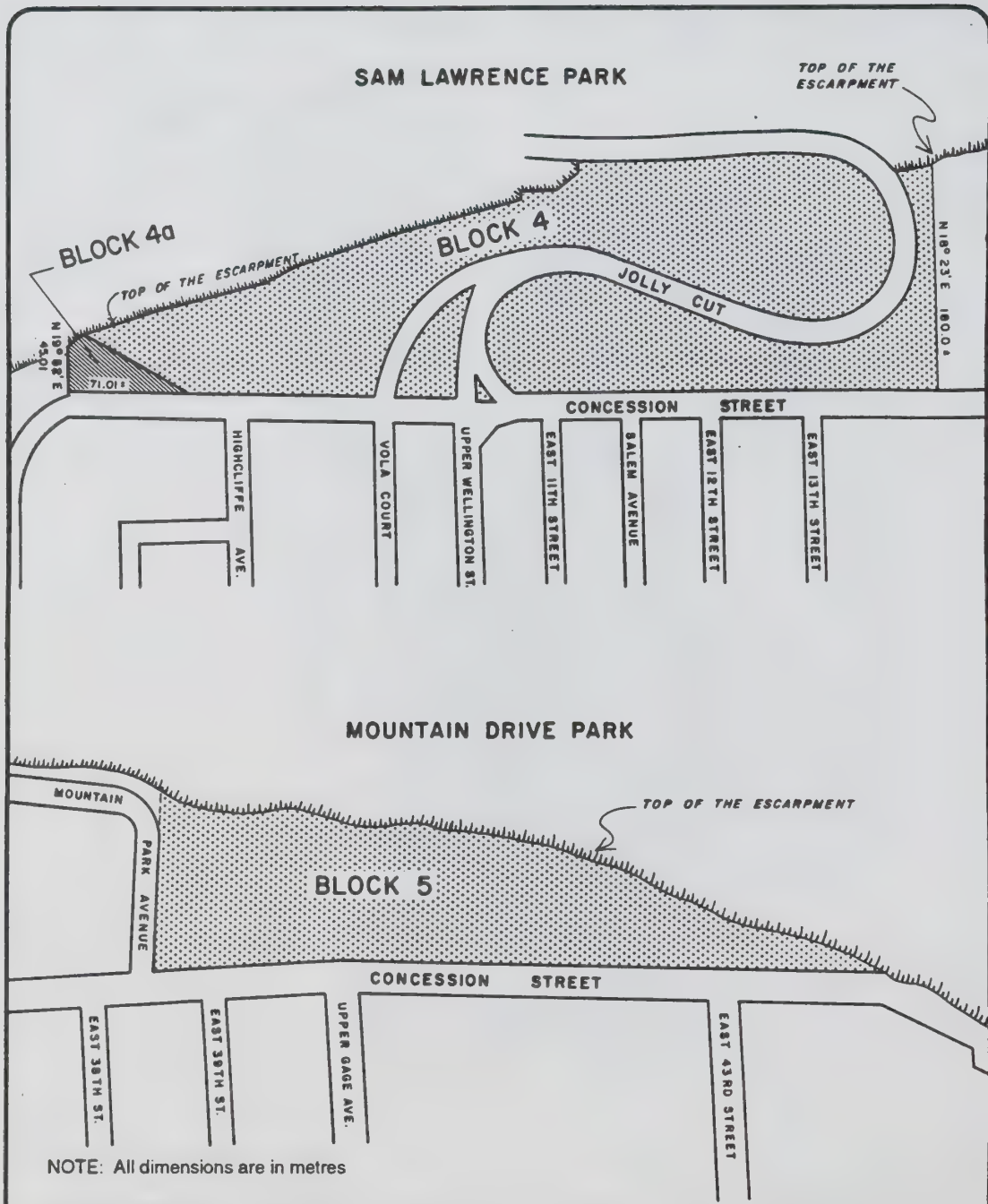


Scale
Not to Scale

Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.



This is Schedule "A-2" to By-Law No. 96-.....
 Passed the day of, 1996.

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A-2

Map Forming Part of
 By-Law No. 96-.....
 to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCKS
 4 and 5



Modification to the "A" (Conservation,
 Open Space, Park and Recreation, etc.)
 District regulations.

BLOCK
 4a



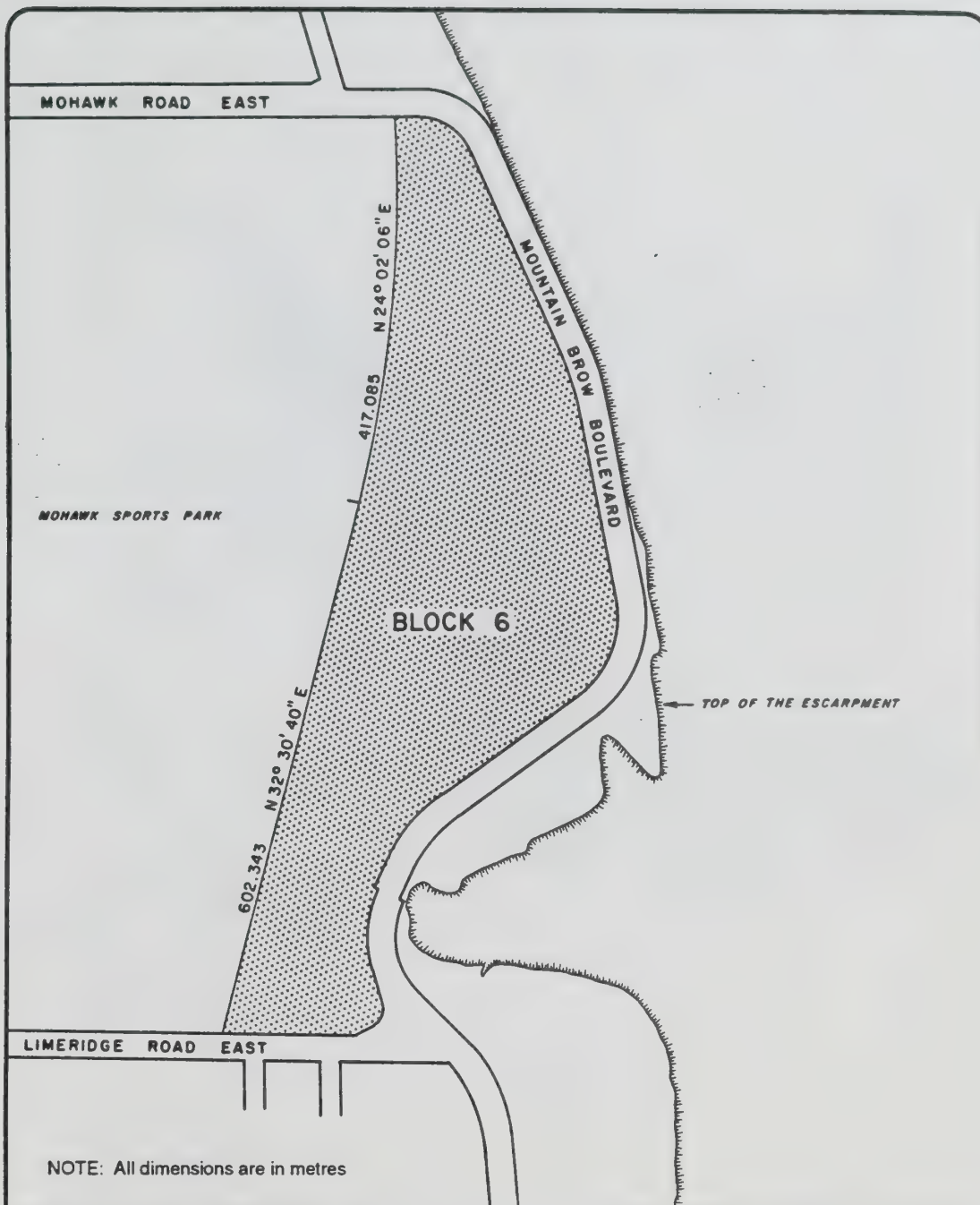
Modification to the "C" (Urban Protected
 Residential, etc.) District regulations.

North



Scale
 Not to Scale
 Date
 March 1996

Reference File No.
 C.I. 94-H
 Drawn By
 F.A.



NOTE: All dimensions are in metres

This is Schedule "A-3" to By-Law No. 96-.....
Passed the day of , 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A-3

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 6



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North

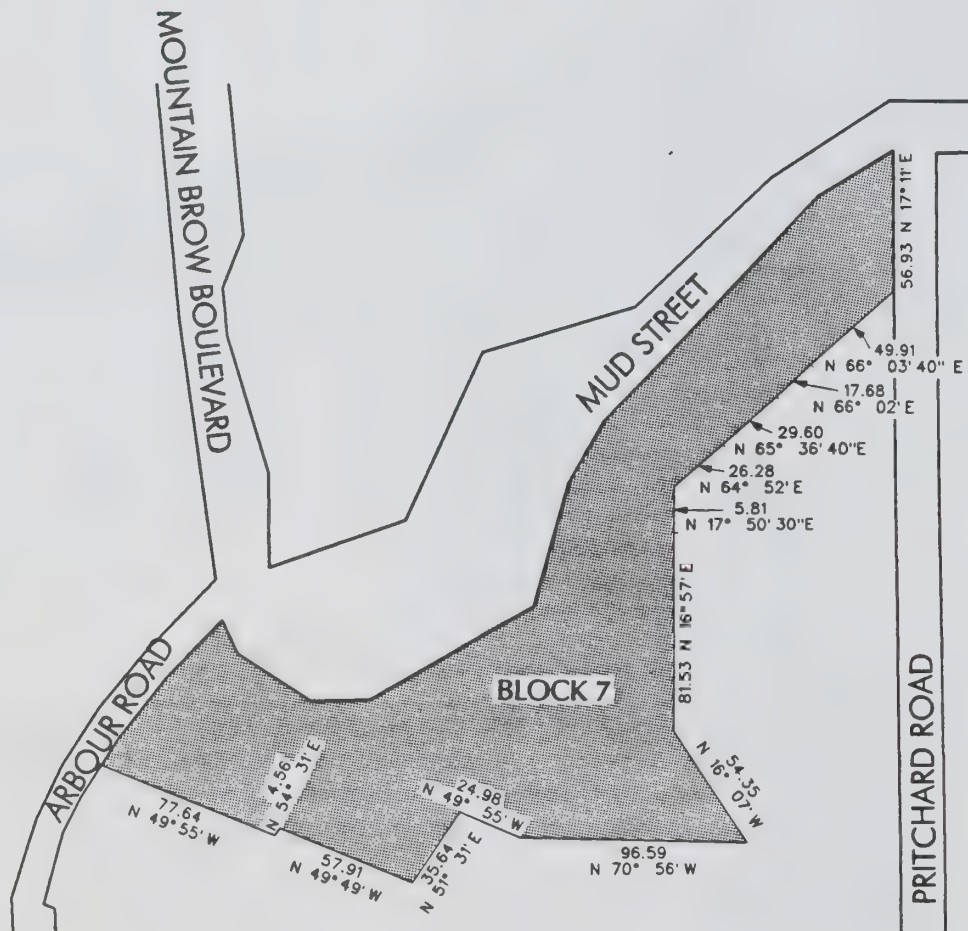


Scale
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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.



NOTE: All dimensions are in metres

This is Schedule "A-4" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A-4

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 7



Modification to the "AA"
(Agricultural) District
regulations.

North

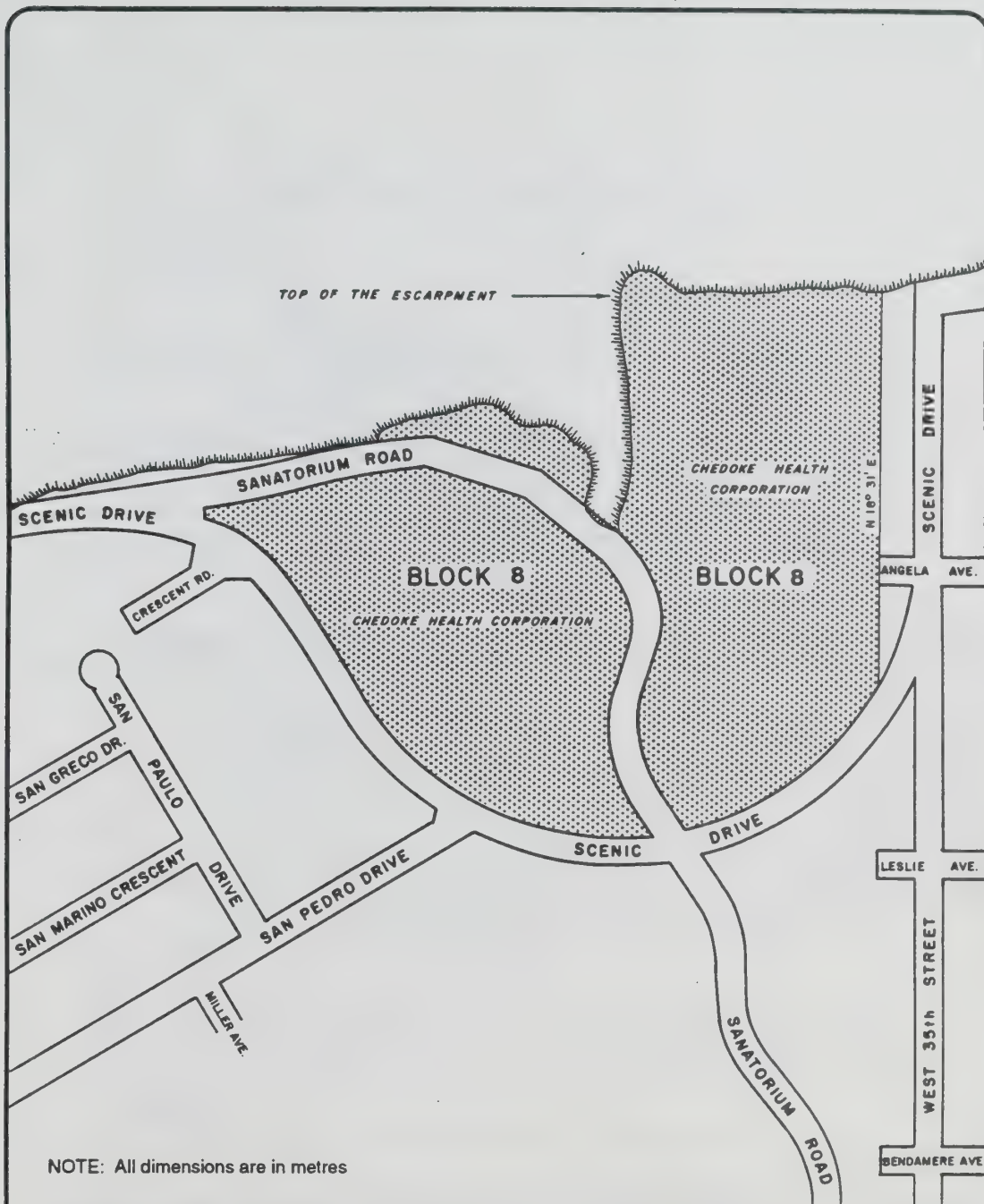


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Date
FEB. 1996

Reference File No.
C.I.94-H

Drawn By
R.L.



City of Hamilton

Schedule A-5

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 8



Modification to the "AA" (Agricultural)
District regulations.

North

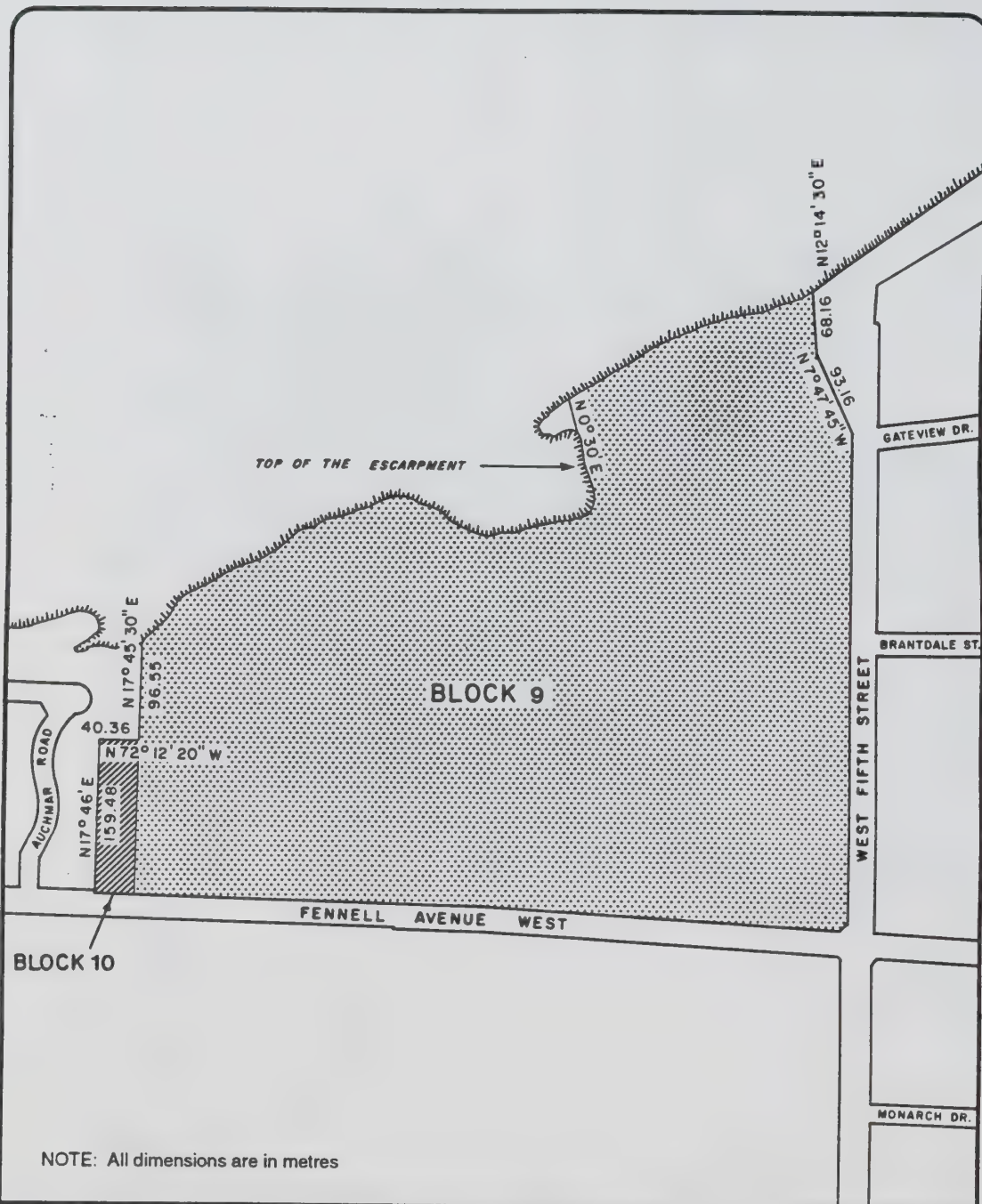


Scale
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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.



NOTE: All dimensions are in metres

This is Schedule "A-7" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A-6

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 9



Modification to the "B" (Suburban
Agriculture and Residential, etc.)
District regulations.

BLOCK 10



Modification to the "B-1" (Suburban
Agriculture and Residential, etc.)
District regulations.

North



Scale
Not to Scale

Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

Respecting:

THE REGULATION OF BILLBOARDS/THIRD PARTY SIGNS

WHEREAS subsection 38(1) of the Planning Act, R.S.O. 1990, Chapter P.13 provides that the council of a municipality may pass interim control by-laws to be in effect for a specified period of time not exceeding one year from the date of passing said by-law, and Section 38(2) of the said Act provides for the extension of the period of time during which said interim control may be in effect, provided the total period of time does not exceed two years from the date of passing the interim control by-law;

AND WHEREAS it is intended that such a review or study be undertaken as hereinafter set out;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) **"Billboard"** means a sign which does not have a permanent sign face and includes a poster, panel or a painted bulletin as well as any structure, panel, board or object designed exclusively to support such poster, panel, or painted bulletin.
 - (b) **"Sign, Third Party"** shall mean a sign that directs attention to,
 - (i) a business, service or entertainment that is conducted, sold or offered for sale or otherwise, elsewhere than on the premises;
 - (ii) one or more goods, wares or merchandise or any personal property.
2. It is hereby directed that a review or study be undertaken in respect of land use policies in the City relating to third party signs and billboards.
3. The use of land, buildings or structures within the City for the purpose of third party signs and billboards is hereby prohibited for a period of one year from the date of the passing of this by-law in the following zoning districts:
 - "G" (Neighbourhood Shopping Centre, etc.) District;
 - "G-1" (Designed Shopping Centre) District;
 - "G-2" (Regional Shopping Centres) District;

- "H" (Community Shopping and Commercial, etc.) District;
- "HH" (Restricted Community Shopping and Commercial) District;
- "I" (Central Business District, etc.) District;
- "HI" (Civic Centre Protected Districts) District;
- "J" (Light and Limited Heavy Industry, etc.) District;
- "JJ" (Restricted Light Industrial) District;
- "K" (Heavy Industry, etc.) District;
- "KK" (Restricted Heavy Industrial) District.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of 1996

CITY CLERK

MAYOR

(1996) 5 R.P.D.C. , March 26
City Initiative

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1996 A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	293 WELLINGTON NORTH
	SERIAL NUMBER	02 01810 9430
	BRIEF LEGAL DESCRIPTION	PLAN 287 LOTS 135 – 139, PART LOTS 125 134 AND 140 – 144 PLAN 89 LOTS 1 – 10
	DATE OF REGISTRATION	JUNE 2, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM210943
	REDEMPTION DATE	JUNE 2, 1996
	TOTAL ARREARS	\$872,939.44
B)	PROPERTY ADDRESS	350 FERGUSON NORTH
	SERIAL NUMBER	02 01810 0050
	BRIEF LEGAL DESCRIPTION	PLAN 89 PART PARCEL 80 PLAN 64 PART PARCEL 76 RP 62R9218 PART 4
	DATE OF REGISTRATION	JUNE 2, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM210944
	REDEMPTION DATE	JUNE 2, 1996
	TOTAL ARREARS	\$27,522.97
C)	PROPERTY ADDRESS	216 WEST 33RD
	SERIAL NUMBER	08 10820 3900
	BRIEF LEGAL DESCRIPTION	PLAN 603 PART LOTS 770 TO 773
	DATE OF REGISTRATION	SEPTEMBER 12, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT388971
	REDEMPTION DATE	SEPTEMBER 12, 1996
	TOTAL ARREARS	\$18,964.43

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend Body Rub Parlour By-law No. 76-32 Respecting:

LICENCE FEES

WHEREAS body rub parlours are licensed, regulated and governed under the City of Hamilton By-law No. 76-32 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law 76-32 as amended, is further amended by repealing and replacing Section 27 with the following :

"27. (1) The respective sums of money set out in Column 2 of Schedule 1 opposite the types of licences described in Column 1 of the Schedule, which Schedule is attached to and forms a part of this by-law, are respectively fixed as the annual fee for each such licence, payable and due at the time of application.

(2) For greater certainty, the fees fixed in (1) shall be for the calendar year or part thereof remaining.

(3) In the case of an application for a licence other than a renewal, fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity, "renewal" means renewal by the current licensee of the previous year's licence."

2. By-law 76-32 as amended, is further amended by repealing and replacing Schedule 1 with Schedule "A", which is attached to and forms a part of this by-law.

3. In all other respects By-law No. 76-32 as amended is hereby confirmed without change.

PASSED this day of A.D. 1996.

City Clerk

Mayor

(Schedule "A" to By-law 96-)

SCHEDULE 1 TO BY-LAW 76-32
RELATING TO ANNUAL FEES for
LICENCES and EXPIRY DATES

COLUMN 1	COLUMN 2	COLUMN 3
Description of Licence	Fee	Expiry Date
<hr/>		
1. Body-rub licences:		
(a) Owner who does not operate his or her own body-rub parlour:		
i. for renewal	\$6,670.00	December 31
ii. for other than a renewal	\$6,720.00	December 31
(b) Owner who operates his or her own body-rub parlour:		
i. for renewal	\$6,670.00	December 31
ii. for other than a renewal	\$6,720.00	December 31
(c) Operator:		
i. for renewal	\$ 270.00	December 31
ii. for other than a renewal	\$ 320.00	December 31
(d) Person other than a licensed owner or operator performing, offering, soliciting or making available body-rubs in, at or upon a body-rub parlour		
i. for renewal	\$ 270.00	December 31
ii. for other than renewal	\$ 320.00	December 31

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Licensing By-law No. 93-069

Respecting:

PUBLIC HALLS

WHEREAS public halls are licensed, regulated and governed by Schedule 15 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the 5th Report of the Finance and Administration Committee, at its meeting held on the 12th day of March, 1996, directed that Schedule 15 of By-law No. 93-069 be further amended to replace the definition of "public hall" and delete the requirement for the licence to state the hall capacity;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 15 to Licensing By-law No. 93-069, is amended by repealing subsection 1(h), repealing section 3, and replacing subsection 1(h) with the following:

"(h) "public hall" means premises or a part thereof, including a portable building or tent, used as a place of assembly which is operated as a business, where members of the public gather for the purpose of any meeting, dancing or entertainment, but does not include premises used solely for religious purposes or a theatre within the meaning of the Theatres Act, R.S.O. 1990, c. T-6, as amended."

2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this day of A.D. 1996.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Schedule 4 of Licensing By-law No. 93-069

Respecting:

INTERIOR ADVERTISING IN TAXI-CABS

WHEREAS taxi-cabs are licensed, regulated and governed by Schedule 4 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 11 of the 4th Report of the Finance and Administration Committee, at its meeting held on the 27th day of February, 1996, directed that Schedule 4 of By-law No. 93-069 be further amended to allow rear window advertising;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of section 12 of Schedule 4 to Licensing By-law No. 93-069, as amended in By-law 93-043, is further amended by adding the following as sub-paragraph (1b), immediately after sub-paragraph (1a) :

"(1b) In addition to the advertising permitted in sub-paragraphs (1) and (1a), advertising is permitted on the rear window of the taxi-cab, provided it is transparent from the interior of the taxi-cab so the driver is able to observe traffic and objects through the rear window of the vehicle; and "

2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this

day of

A.D. 1996.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend Adult Video Store By-law No. 95-173

Respecting:

LICENCE FEES

WHEREAS stores in which adult videos are provided are licensed, regulated and governed under the City of Hamilton By-law No. 95-173 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 6(2) of By-law No. 95-173 as amended, is amended by repealing and replacing paragraph 6(2)(a) with the following :

"(a) full payment of the licence fee, in the case of a Class A adult video store being \$2,000.00 for a renewal and \$2,050.00 for other than a renewal, and in the case of a Class B adult video store being \$150.00 for a renewal and \$200.00 for other than a renewal, for each such licence applied for;"

2. Section 6 of Licensing By-law 95-173 as amended, is further amended by adding the following as subsection (3), immediately after subsection 6(2) :

"(3) In the case of an application for a licence other than a renewal, fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity in this section, "renewal" means renewal by the current licensee of the previous year's licence."

3. In all other respects By-law No. 95-173 as amended is hereby confirmed without change.

PASSED this

day of

A.D. 1996.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend Adult Entertainment Parlour By-law No. 79-144

Respecting:

LICENCE FEES

WHEREAS adult entertainment parlours are licensed, regulated and governed under the City of Hamilton By-law No. 79-144 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law 79-144 as amended, is further amended by repealing and replacing Section 6 with the following :

" 6. (1) Subject to subsection (3), every person shall, upon application for a licence, pay to the City the applicable fee set out in columns 2, 3, 4, or 5 of Schedule 1.00, which schedule is attached to and forms a part of this by-law, for the corresponding class of adult entertainment parlour described in column 1.

(2) No licence shall be issued where the fee under (1) is not paid in full at the time of application.

(3) The fee required to be paid for other than a renewal of a licence under this by-law, shall be the fee payable under subsection (1), plus fifty-dollars, and for the sake of clarity in this section, "renewal" means renewal by the current licensee of the previous year's licence.

(4) In the case of an application for a licence other than a renewal, fifty-dollars of the licence fee is non-refundable in the event the licence is not issued."

2. In all other respects By-law No. 79-144 as amended is hereby confirmed without change.

PASSED this

day of

A.D. 1996.

City Clerk

Mayor

SCHEDULE "A" TO BY-LAW NO. 96-

<u>Project</u>	<u>Gross Cost</u>	<u>Reserve Financing</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
79.0 Roadways and Sidewalks Reconstruction Program	\$5,982,000	\$1,458,000	\$4,524,000	20 years

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26TH DAY OF MARCH A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of March A.D. 1996

CITY CLERK

MAYOR

CA4 ON HBL AOS
A31
1996



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

1996 April 4

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 April 9
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN MUNICIPAL

APR 10 1996

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Father Joseph Fulop
St. Stephen's Hungarian Roman Catholic Church**
- 3. PRESENTATION : Certificate of Recognition
Morris Smurlick
Past Member of the Hamilton
Civic Hospitals Board of Directors**
- 4. Adoption of the minutes of the meeting held 1996 March 26 and the Special
Meeting held 1996 March 28.**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee
 - (c) Planning and Development Committee
 - (d) Finance and Administration Committee
- 7. Notice of Motion from previous meeting - Alderman V. Agro**
- 8. Notices of Motion for next meeting.**
- 9. Question Period.**
- 10. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 March 26
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.

Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman V. Agro - vacation

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father George Vukelich, St. Nicholas Serbian Church led Council in prayer.

<p>PRESENTATIONS</p>

- (a) Mayor R. Morrow introduced to the Members of City Council Judy Marsales as the new President of the Chamber of Commerce.
- (b) Mayor Morrow presented a Retirement Certificate to Mr. Larry Krouse who retired from the City with 22 years of service from the Cemeteries Division of the Public Works Department.
- (c) Mayor Morrow presented a Certificate of Recognition to Mr. Mike Roach who served as Past Chairman of the Hamilton Veterans' Committee.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 March 12 were adopted as circulated.

CORRESPONDENCE

1. Letter from J. J. Schatz, City Clerk advising of an objection to By-law No. 96-018 respecting property at 1270 Upper James Street, Hamilton, Ontario.

Received.

2. Application from George Lima for a modification to the "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District for 18 Homewood Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - FIFTH REPORT

Section 5 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 10 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 11 (a) Re: Hamilton Hornets Rugby Football Club - Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * *

Section 11 (b) Re: Alcohol in Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 17 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 22 Re: Chedoke and King's Forest Golf Pros - Negotiations

It was moved by Alderman Eisenberger and seconded by Alderman Ross that Section 22 of the Fifth Report of the Parks and Recreation Committee for 1996 be referred back.

CARRIED.

* * * * *

Rule No. 9 Re: User Fees for Culture and Recreation Activities

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a Bill respecting the revision of user fees for Culture and Recreation Activities.

CARRIED.

* * * * *

Re: User Fees for Culture and Recreation Activities

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Fifth Report of the Parks and Recreation Committee for 1996 be amended by adding Section 23 as follows:

23. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-2 A By-law to Revise the User Fees for Culture and Recreation Activities
CARRIED.

* * * * *

Section 24 Re: Iceco Arena Services and Equipmemt

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Fifth Report of the Parks and Recreation Committee for 1996 be amended by adding the following as Section 24:

24. That approval be granted to open a Purchase Order in favour of Iceco Arena Services and Equipment as the Interim Operator for a period of three (3) months at a cost of \$36,000. monthly plus G.S.T. for the interim ice maintenance, cleaning and administration of the Chedoke Twin Pad Arena as outlined in Appendix "E" attached hereto.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Merling. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT
--

Section 5 Re: Site Plan Control Application - 775 and 779 Upper Wentworth

It was moved by Alderman Drury and seconded by Alderman Charters that Section 5 of the Fifth Report of the Planning and Development Committee for 1996 be amended by deleting subsection (a) regarding site plan approval. **CARRIED.**

* * * * *

Section 9 Re: Marco and Fernando Tollis - 422 Barton Street East.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 16 (e) Bill No. C-18 A By-law Respecting the Regulation of Billboards Third Party Signs.

It was moved by Alderman Drury and seconded by Alderman Charters that Section 16 (e) of the Fifth Report of the Planning and Development Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Eisenberger. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT
--

Section 13 Re: Hamilton and District Labour Council - Day's of Protest

It was moved by Alderman Charters and seconded by Alderman Ross that Section 13 of the Sixth Report of the Finance and Administration Committee be amended by deleting the words "including court action" in the first line.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 15 Re: Business Plan for Grey Cup '96

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Aldermen Copps, Merling. -2.

CARRIED.

* * * * *

Rule No. 9 Section 16 Re: Dog Licence Fees

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a by-law for Dog Licence fees. **CARRIED.**

* * * * *

Section 16 (i) Re: Dog Licence Fees

It was moved by Alderman Charters and seconded by Alderman Jackson that the following Bill be added as sub-section (i) of Section 16 of the Sixth Report for 1996 of the Finance and Administration Committee:

16. (i) D-22 A By-law to amend By-law No. 85-148 respecting Dog Licence Fees. **CARRIED.**

* * * * *

Rule No. 9 Section 17 Re: Use of Council Chambers

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the use of the Council Chamber

CARRIED.

* * * * *

Section 17 Re: Use of Council Chambers

It was moved by Alderman Charters and seconded by Alderman Jackson that the Sixth Report of the Finance and Administration Committee for 1996 be amended by adding Section 17 as follows:

17. That approval be given to the request of Napier-Andrews Communications to use the Council Chambers to tape a segment of a non-political, industrial video for the Canadian Comprehensive Auditing Corporation from 8:00 a.m. to 9:30 a.m. on Friday, 1996 March 29.

CARRIED.

* * * * *

Rule No. 9 Section 18 Re: A Settlement

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a settlement.

CARRIED.

* * * * *

Section 18 Re: Settlement

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 18 of the Sixth Report for 1996 of the Finance and Administration Committee:

- "18. (a) That the City resolve Ontario Court (General Division) Action #7309/94 by the payment to the Plaintiff, Joan Pfister, of the sum of \$2,000 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action #7309/94 be dismissed without costs." **CARRIED.**

ACTING MAYOR FOR THE MONTH OF APRIL, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman C. Collins be appointed Acting Mayor for the month of April 1996.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 March 26
JJS/dg

Minutes of the Committee of the Whole/
Special City Council Meeting
March 28, 1996
1:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Morrow.
Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins,
Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman V. Agro - vacation
Alderman D. Wilson - City business
Alderman D. Ross - Regional business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - THIRD REPORT

1996 Grant Allocations
Capital Funding Issue
Bill E-1

Section 2 Re: Capital Funding Issue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Morelli, Collins, Jackson, D'Amico. -7.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

1996 March 28

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 2:15 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1996 March 28
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter and petition dated 1995 November Re: Funding of Wesley Urban Ministries.

Recommendation: Be Received.

2. Letter dated 1996 March 29 from M. Jane Lee, Clerk/Director of Administrative Services for the Town of Flamborough regarding the Final Report - Local Government Review Committee. (previously distributed)

Recommendation: Be Received.

November, 1995

TO WHOM IT MAY CONCERN:

It is with great concern that I am writing you as a consumer of the services at Kirkendall Strathcona Neighbourhood House. I understand that a large portion of provincial funding has been cut from the services that Wesley Urban Ministries provides at Kirkendall Strathcona Neighbourhood House.

I am a user of these services and feel that they have tremendous benefit to my health and well being.

Many seniors and older adults from the neighbourhood come to Kirkendall Strathcona Neighbourhood House and beyond here:

- to be with my friends and participate in activities,
- to receive help from the community, don't
- have enough English to understand the
- government regulations,
- to file income tax returns, or
- to talk to the nurse who
- the health of my family
- to talk to the lawyer

I know others who come to the exercise classes, the Store where they do activities. Many seniors need assistance beyond the doors of Kirkendall Strathcona Neighbourhood House. The services provided to seniors are invaluable.

Daycare, to the Christmas Store, to many other activities, and without physical barriers if the house were closed and the services extended also to the seniors would not have been

and as happy without Kirkendall and without the services provided the same thing.

andings to Wesley Urban Ministries which Strathcona Neighbourhood House services.

**SAMPLE LETTER OF PETITION
CONTAINING
SIGNATURES.**

RAWI ADE FIZO
CARMINE PIAO
29 SEATON PLACE DR
STONEY CREEK

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Robins Avenue between Barton Street East and Newlands Avenue be revised such that the regulation commences at a point 69 feet south of Barton Street East and extends to the south property line of No. 121 Robins Avenue and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the maximum number of permits to be issued be reduced from six to four.
2. That a "Two Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Gibson Avenue between Barton Street East and Cannon Street East and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "No Parking" regulation be implemented on the north side of Hunter Street West commencing 124 feet east of Caroline Street South and extending to a point 75 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That the existing "No Parking" regulation on the north side of Burton Street commencing at Cheever Street and extending to a point 114 feet easterly therefrom be removed; and,

(b) That a "No Stopping" regulation be implemented on the north side of Burton Street commencing at Cheever Street and extending to a point 47 feet easterly therefrom; and,

(c) That a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Burton Street commencing at a point 47 feet east of Cheever Street and extending to a point 67 feet easterly therefrom; and,

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That the existing residential boulevard parking agreement registered as Instrument No. 274603 C.D. to the property at No. 130 Campbell Avenue be discharged, at the property owner's expense; and,

 (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
6. (a) That a "Permit Parking" regulation be implemented on the west side of Catharine Street North commencing at a point 116 feet north of MacAuley Street East and extending to a point 20 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Yvonne Fortman, No. 485 Catharine Street North.
7. (a) That a "Permit Parking" regulation be implemented on the south side of Wood Street East commencing at a point 159 feet east of Catharine Street North and extending to a point 14 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

 (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Susan Martin, No. 108 Wood Street East.
8. That a "No Stopping" regulation be implemented on the south side of Justine Avenue commencing at Park Row South and extending to a point 40 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the east side of Ravenbury Drive (west leg) commencing at a point 209 feet south of the south curb line of Ravenbury Drive (north leg) and extending to a point 39 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That southbound traffic on Brighton Avenue be required be required to stop for eastbound and westbound traffic on Morley Street and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That a purchase order be issued to Niagara Paint Inc., Hamilton, Ontario, for the supply and delivery of traffic paint as and when required during 1996 by the Public Works and Traffic Department, being the lowest of five bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$200,000. be financed through the Pavement Markings Account No. CH56153 75999.
12. That the purchase order issued to Econolite Canada Ltd., Scarborough, Ontario for the supply and delivery of traffic signal heads to the Traffic Division of the Department of Public Works and Traffic as and when required during 1996 be amended to approve a maximum spending limit of \$75,000. not including taxes, and that this expenditure be financed through the Traffic Signals Materials Account No. CH56152 75999.
13. (a) That a School Crossing Guard be assigned to the intersection of Kentley Drive and Nash Road during the morning and evening school crossing periods only, on a permanent basis; and,
(b) That the School Crossing Guard at Country Club Drive and Greenhill Avenue be removed.
14. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Greenhill Avenue commencing at a point 79 feet east of Kimberly Drive and extending 20 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be relocated:

Route #2 Barton

Delete - Eastbound - Melvin Avenue, south side, 60 feet west of the west curb line (projected) of Woodward Avenue (M/B); and,

Add - Northbound - Woodward Avenue, east side, 172 feet north of the north curb line of Melvin Avenue (F/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

16. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved, provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
17. (a) That the following City land be incorporated into Eleanor Avenue:

Eleanor Avenue	Part 4	62R-13505
----------------	--------	-----------

 - (b) That the by-law to carry out the incorporation of the said land into the foregoing street be enacted by Council; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
18. That the appropriate by-law to amend By-law No. 10605 respecting local improvement charges for the construction of roads, curbs, sidewalks and alleys be enacted by City Council.
19. That the appropriate by-law to amend Section 22 of By-law No. 85-159, to revise the maximum fine for the Collectible Waste By-law to \$5,000., be approved.
20. (a) That an Option to Purchase, duly executed by Joseph Salgo and Joan Marie Salgo on 1996 March 15 and scheduled to close on or before 1996 May 30 for the purchase of the lands being composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton, more specifically described as Part 3, Plan 62R-11322, containing an area of 303.3 square metres (3,265.1 square feet), more or less, being part of No. 1476 Upper Gage Avenue, Hamilton, be approved and completed; and,

- (b) That as consideration in the amount of \$2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,
 - (c) That it is understood and agreed that all costs for the establishment of the Elmore Drive extension from Elmore Drive to Royal Vista Drive including land costs, consultant fees, construction and overhead costs, will be charged against the 1 foot reserve and recovered at the time of development of the abutting lands in accordance with standard subdivision policies; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute all the necessary documents.
21. (a) That an Option to Purchase, to be executed by Gene Lee, Helen Lee and Daniel Stuart Alvey and scheduled to close on or before 1996 May 30 for the purchase of the lands being composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton, more specifically described as Part 4, Plan 62R-11322, containing an area of 305.18 square metres (3,285.14 square feet), more or less, being part of No. 1476 Upper Gage Avenue, Hamilton, be approved and completed; and,
- (b) That as consideration in the amount of \$2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,
 - (c) That it is understood and agreed that all costs for the establishment of the Elmore Drive extension from Elmore Drive to Royal Vista Drive including land costs, consultant fees, construction and overhead costs, will be charged against the 1 foot reserve and recovered at the time of development of the abutting lands in accordance with standard subdivision policies; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute all the necessary documents.
22. That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton has no objection to TASSCO Ltd. carrying out the proposed PCB destruction for Westinghouse Canada Inc. at No. 1632 Burlington Street East, Hamilton.

23.
 - (a) That the construction of an independent concrete sidewalk on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$164,000. with a City's Share of \$79,591.27 and an Owner's Share of \$84,408.73, all as provided in the 1996 portion of the 1996 - 2005 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works; and,
 - (e) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary by-law in a form satisfactory to the City Solicitor.
24.
 - (a) That the Region of Hamilton Wentworth be requested to earmark required 1996 Regional Road Maintenance current budget reductions as those potential savings which may be achievable through the transfer of Regional Roads Maintenance Services to the balance of area municipalities, rather than service reductions and using the Regional snow reserve as a transitional buffer; and,
 - (b) That the Region of Hamilton Wentworth be advised that the City of Hamilton has reduced its road maintenance equipment costs commencing 1996 which will result in savings to the Region of \$165,000. (based on 1995 service levels) with no reduction of services.
25. That the City by By-law establish a parcel of land (Part 2, 62R-5470) to extend Garth Street from the south side of Rymal Road southerly to the City's boundary with Glanbrook.
26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-12 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-13 A By-law to Amend By-law No. 89-72 to Regulate Traffic

1996 April 9

- (c) A-14 A By-law to Incorporate City Land Designated as Part 4, on Plan 62R-13505 into Eleanor Avenue
- (d) A-15 A By-law to Amend Local Improvement By-law No. 10605 Respecting Revised Costs to the Corporation for the Installation of Local Improvements
- (e) A-16 A By-law to Amend By-law No. 85-159 Respecting Collectible Waste
- (f) A-17 A By-law to Establish City Land Designated as Part 2, on Plan 62R-5470 as Garth Street

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 April 1

Appendix "A" as referred to in
Section 16 of the FIFTH Report
of the Transport and Environment
Committee for 1996

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/ Annual Fee</u>	<u>File No.</u>
MacNab Street	394 MacNab Street North	J. and I. Jose	Portion of the front porch measuring 3.033m x 0.113m	\$138/20	T103 50 1215
Vineland Avenue	36 Fairholt Road South	P. and A. Byrne	Portion of chimney measuring 1.295m x 0.061m and eaves measuring 4.267m x 0.183m	\$138/20	T103 50 1226
Public Assumed Alley	144 Herkimer Street	A. Noble and J. and S. Hammond	Corner portion of frame Garage encroaching by 0.060m	\$138/20	T103 50 1217
Linwood Avenue	40 Linwood Avenue	C. Prunean	Portion of concrete steps measuring 1.829m x 0.576m	\$138/20	T103 50 1232

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Application SE-96-001 under the Rental Housing Protection Act, 867065 Ontario Inc, owner, to sever the land, which contains three mixed commercial/residential buildings with a total of 10 rental apartments into three separate parcels, for the property located at 252-268 James Street South, subject to the following condition:

That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.

- (b) That upon satisfaction of the above noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
2. (a) That approval be given to amended Zoning Application 95-34, 867065 Ontario Inc. (M. Presta) owner, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit severance of the property into three (3) separate lots and permit additional commercial and residential uses within the basement level of the existing buildings, for property located at 252, 262, and 268 James Street South, shown as Blocks "1", "2" & "3" on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of By-law No. 6593, applicable to Blocks "1", "2" & "3", be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 11A(1) of Zoning By-law No. 6593, the following residential and commercial uses and any combination thereof, shall be permitted in the buildings existing on the day of the passing of this by-law except as provided in clause b):

(i) **Commercial Uses:**

1. General Offices; Medical Offices;

(ii) **Residential Uses:**

1. Multiple dwellings;
- (b) **Commercial Uses** comprised of medical offices, the aggregate floor area of which shall not exceed 50% of the total gross floor area of the building including the basement or cellar;
 - (c) No part of the land abutting James Street South shall be used for vehicle access to or from James Street South;
 - (d) No part of the yard adjacent to James Street South shall be used for parking of vehicles;
 - (e) That notwithstanding Clauses (a) and (c) of Subsection 4 of Table 1 of Section 18A of Zoning By-law 6593, a minimum of 24 parking spaces shall be provided and maintained, as follows:
 - (i) a minimum of 13 parking spaces shall be provided and maintained on Block "1";
 - (ii) a minimum of 6 parking spaces shall be provided and maintained on Block "2";
 - (iii) a minimum of 5 parking spaces shall be provided and maintained on Block "3";
 - (f) That notwithstanding Section 18A (7) of Zoning By-law 6593, not more than three (3) of the parking spaces on Block "1" and four (4) of the parking spaces on Block "2" shall be permitted to have dimensions not less than 2.7 m wide and 5.0 m long;
 - (g) That notwithstanding Table 4 & 5 of Section 18A of By-law 6593, no loading space shall be required;
 - (h) That Sections 18A(11), 18A(12)(a) and 18A (26) shall not apply;
 - (i) The southerly driveway access for the parking area along the westerly property line of Block "3" adjacent to Markland Street shall not be used for any purpose other than an entrance from Markland Street; and,

- (j) The northerly driveway access for the parking area along the westerly property line of Block "1" adjacent to Herkimer Street shall not be used for any purpose other than an exit to Herkimer Street.
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1356, and that the subject lands on Zoning District Map W-6 be notated S-1356;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-6 for presentation to City Council;
 - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) That By-law Nos. 85-200 and 86-103, applicable to the subject lands, be repealed in their entirety.
3. That the Building Commissioner be authorized to deny the demolition permit for 30 Norfolk Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
 4. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 5 Goderich Road from the building covenants to the City of Hamilton as contained in Instrument No. 378440 C.D. registered on 1996 September 5.
 5. That the Building Commissioner be authorized to issue a demolition permit for 173 Park Row North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
 6. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-95-294, respecting property located at No. 999 Upper James Street.
 7. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings in support of the Committee of Adjustment decision to deny Application No. A-96-17, respecting property located at No. 144 Highridge Avenue, and to approve Application No. A-96-21, respecting property located at No. 86 Dodson Street.

8. (a) That approval be granted to application CDM-CONV-95-007 submitted by Meroc Developments (In Trust), owner, for a draft plan of condominium for property located at Nos. 97 and 101 Connaught Avenue South to provide for a condominium comprised of a 3 storey apartment building containing 12 individual apartment condominium units, subject to the following conditions:
- (a) That this approval applies to the attached draft plan dated March 23, 1995 prepared by B.J. Clarke, O.L.S.;
 - (b) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (c) That prior to approval of the final plan,
 - (i) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - (ii) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593;
 - (d) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-007);
 - (e) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (f) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan.

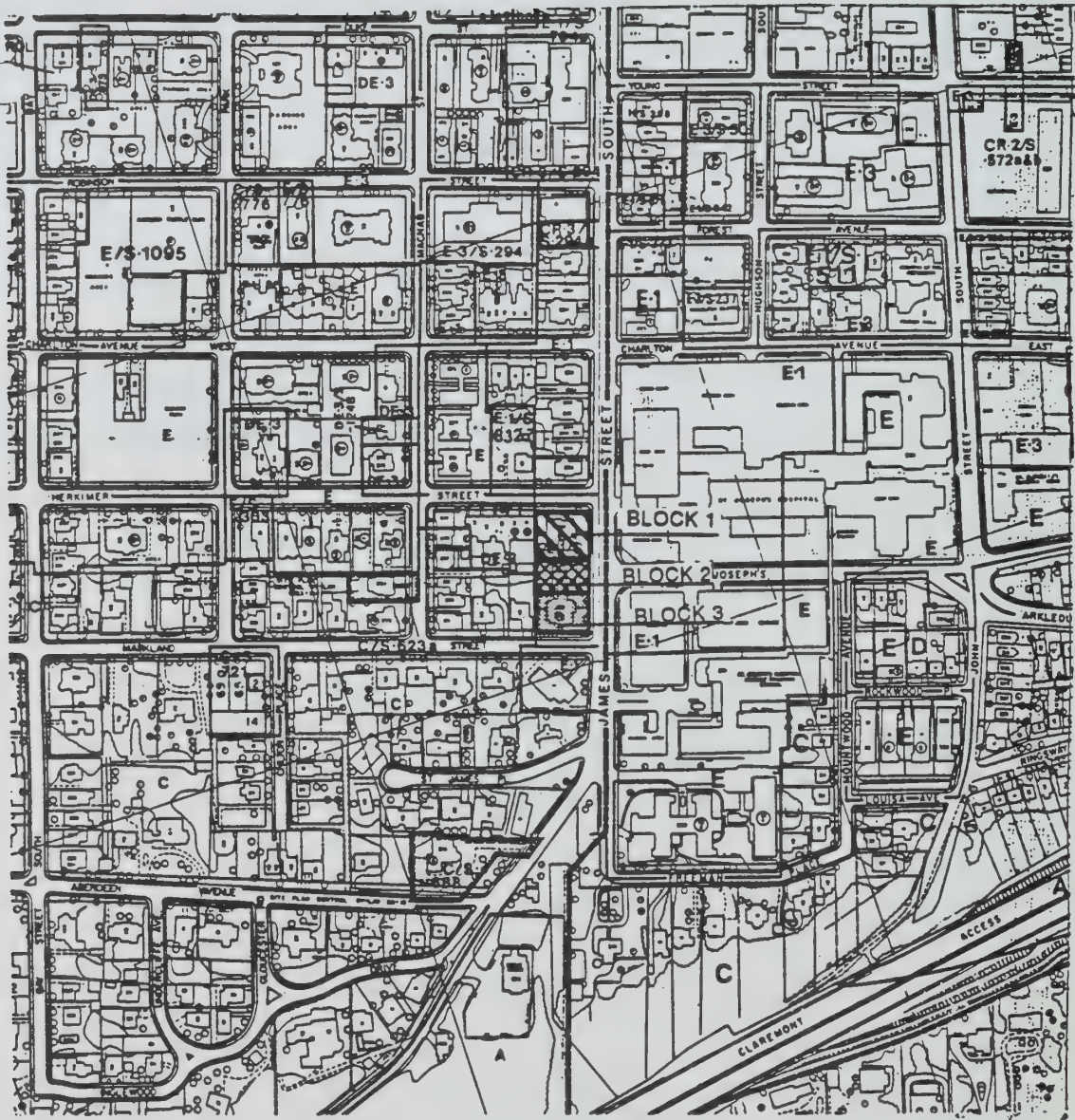
1996 April 9

- (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
- 9. That By-law No. 88-250 adopting Official Plan Amendment No. 66, which incorporates the Central Area Plan as a secondary plan and redesignates Pier 10 and 11 from utilities to industrial.




Respectfully submitted,

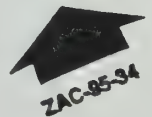
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 April 3**



Legend

- | | | |
|---------|---|--|
| BLOCK 1 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |
| BLOCK 2 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |
| BLOCK 3 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |



APPENDIX A

1996 April 9

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. (a) That an exemption be made to City of Hamilton By-law 84-191 respecting the Keeping of Animals, to allow Chanene Ellis of 190 Limeridge Road West to keep her two year old spider monkey, on the condition that the H.S.P.C. is satisfied that the monkey is being properly cared for, and of no nuisance or danger to others; and,

 (b) That the City Solicitor be authorized and directed to prepare amendments to the City of Hamilton By-law 84-191 in order to allow the City to give consideration to requests for granting specific exemptions on the keeping of exotic animals.
2. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 1819/93 by the payment to the Plaintiffs, Joan Craig, Walter Craig and Deborah Craig of the amount of \$15,200, inclusive of all claims for damages, interest and costs; and,

 (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

 (c) That Ontario Court (General Division) Action No. 1819/93, including all cross-claims, be dismissed without costs.
3. That approval be given to the Hamilton-Wentworth Council on Smoking and Health to use the Council Chamber on Thursday, 1996 May 30 from 7:00 o'clock p.m. to 9:00 o'clock p.m. for an awards presentation on the occasion of World No Tobacco Day.
4. That approval be given to The Ontario Workers' Arts and Heritage Centre request to use the 2nd Floor Foyer East and West, from 1996 August 19 to September 3rd, to display architectural drawings of the proposed renovations to the Custom's House, together with artifacts found at the site.

5. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

90 Hempstead

- (b) That the by-law to authorize the said Extension Agreement be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.
6. (a) That as referred to in Section 23 of the Fifth Report for 1996 of the Transport and Environment Committee, the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-law in a form satisfactory to the City Solicitor to construct an independent concrete sidewalk on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street under the Local Improvement Act at an estimated cost of \$164,000 with the City's share of \$79,591.27 and owner's share of \$84,408.73; and,
- (b) That the City's share of \$79,591.27 be financed from the 1996 Capital Levy (Account Centre No. CH 22002) and the owner's share of \$84,408.73 be financed by the issuance of debentures for a period not to exceed 20 years; and,
- (c) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures for the owner's share in the amount of \$84,408.73 for a term not to exceed 20 years for the above project.
7. That authorization be given to issue a purchase order in the amount of \$49,113, inclusive of GST (\$3,213), to Geonis Mechanical Contracting Limited of Stoney Creek to supply the labour and materials to replace the victaulic fittings within the Central Utilities Plant, this being the lowest tender received in accordance with the specifications (Ref: C14-2-96) issued by the Purchasing Division.

8. (a) That the City of Hamilton continue to utilize the services of bailiffs for the collection of outstanding business tax arrears and extend existing agreements with ABS Bailiff Services to 1996 July 31; and,

(b) That the Treasury Department request "Letters of Interest" for the on-site collection of outstanding business taxes from Bailiffs licensed to operate in the City of Hamilton in order to provide for the expansion of the present program on a permanent basis.
9. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the 1996 Federation of Canadian Municipalities Conference on 1996 May 31 - June 3 in Calgary, Alberta.
10. (a) That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Hamilton International Air Show to be an event of municipal, and indeed International significance to the City of Hamilton; and,

(b) That as such, the City has no objection to the extension of hours to 3:00 o'clock a.m. for the following dates and locations:
 - (i) Tailgate Charlies, 69 John Street South (official hospitality headquarters); Texas Border, 77 King William Street; Gaslight, 19 John Street South; The Keg, 33 Bowen Street:
 - (1) Thursday, 1996 June 13th - Hospitality Kick-off to start at 8:00 o'clock p.m.; and,
 - (2) Friday, 1996 June 14th - Post Party Twilight Show to start at 11:00 o'clock p.m.; and,
 - (3) Saturday, 1996 June 15th - Post Air Show Party to start at 8:00 o'clock p.m.; and,
 - (4) Sunday, 1996 June 16th - Post Party Reception to start at 11:00 o'clock p.m.

11. That the four Street Vendor locations be awarded for the period commencing 1996 April and continuing to the end of 1998 December, to the successful proponents, one cart per location, as listed:

<u>NAME</u>	<u>LOCATION</u>	<u>PRODUCT</u>	<u>FEE</u>
Gorpap Holdings Ltd	#11 Stelco Tower (entrance area)	Sausage/Hot Dogs Soft Drinks	\$3,000
Helen Pawlowski	#16 S/E Corner of King & James (opposite Royal Bank)	Sausage/Hot Dogs Soft Drinks	\$5,000
Lou Bojin (of Streatables)	#31 Turner Farm Park (Chip Wagon type vehicle)	Sausages, Hot Dogs, Hamburgers, Fries, Soft Drinks	\$10,000
J & C Matijasich	#30 N/W Corner of Hunter and Hughson	Sausages/Hot Dogs Soft Drinks	\$ 600

and that this approval is subject to confirmation of the following:

- (a) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
 - (b) The submitted bids remain unchanged following the review by the Health Department; and,
 - (c) The proponents enter into a legal agreement satisfactory to the City; and,
 - (d) The City Solicitor be authorized to execute the agreements.
12. (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for a law student and a business/accounting student for not more than sixteen (16) weeks employment in the Summer of 1996; and,
- (b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,
- (c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.

1996 April 9

13. (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for 33 students (including 1 Administrative/Clerical, 6 Administrative/Computer, 26 Horticultural/Labourer placements) for not more than sixteen (16) weeks employment in the Summer of 1996; and,

(b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,

(c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.
14. (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for six students. Two will be required from Clerical/Electronic Office Management Studies and four other students involved in the studies of Building Maintenance, Landscaping, Electronics, and Electrical for not more than sixteen (16) weeks employment in the Summer of 1996; and,

(b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,

(c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.
15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-23 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-24 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 April 2**

**NOTICE OF MOTION
FROM PREVIOUS MEETING**

NOTICE OF MOTION FOR NEXT MEETING - APRIL 9, 1996

(Notice given - February 27, 1996)

Alderman V. J. Agro gave notice that he would move at the next regular meeting of City Council the following:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 APRIL 9
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Robins	West	commencing at a point 69 feet south of Barton and extending to the south property line of no. 121 Robins	Anytime
Catharine	West	commencing at a point 116 feet north of MacAuley and extending to a point 20 feet northerly therefrom	Anytime
Wood	South	commencing at a point 159 feet east of Catharine and extending to a point 14 feet easterly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Robins	West	Barton to the south property line of no. 121 Robins	Anytime."
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2. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following item, namely:-

"Gibson	Both	Barton to Cannon	2 hr	8 am - 8 am	Mon - Sun."
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3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Hunter	North	commencing at a point 124 feet east of Caroline and extending to a point 75 feet easterly therefrom	Anytime
Burton	North	commencing at a point 47 feet east of Cheever and extending to a point 67 feet easterly therefrom	7 am - 6 pm Mon-Fri
Evans	North	Wellington to end	Anytime
Evans	South	Wellington to Emerald	Anytime."

1

Anytime."

A.D. 1996.

MAYOR

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Burton	North	Cheever to 47 feet easterly	Anytime
Justine	South	Park Row to 40 feet westerly	Anytime."

and by deleting therefrom the following item, namely:-

"Hess	East	Main to George	Anytime."
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2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Ravenbury (west leg)	East	39 ft.	commencing 209 feet south of the south curb line of Ravenbury (north leg)	Anytime."
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3. **Schedule 28 (Taxi Stands)** is hereby amended by adding thereto the following item, namely:-

"Greenhill	South	20 ft.	79 feet east of Kimberly	7 am - 6 pm Mon to Fri."
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4. **Schedule 10 (Stops at Intersections)** is hereby amended by adding thereto the following item, namely:-

"Brighton	Southbound	Morely."
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5. **Schedule 23 (Hamilton Street Railway)** is hereby amended by adding to the Outbound column the following item, namely:-

"Woodward at Melvin (FS)."

and by deleting from the Outbound column the following item, namely:-

"Melvin at Woodward (MB)."

PASSED this

day of

A.D. 1996.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 4, ON PLAN 62R-13505
INTO ELEANOR AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Eleanor Avenue within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Eleanor Avenue.

Part of Lot 14, Registered Plan 853, designated as Part 4, on Plan 62R-13505.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Local Improvement By-law No. 10605

Respecting:

**REVISED COSTS TO THE CORPORATION
FOR THE INSTALLATION OF LOCAL IMPROVEMENTS**

WHEREAS By-law No. 10605, passed on the 15th day of December, 1964, as amended by By-laws Nos. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41, 85-70, 86-78, 88-096, 89-76, 90-49, 91-16, 92-102, 93-002 and 94-002, provides for the undertaking of local improvements in accordance with the Local Improvement Act;

AND WHEREAS subsection 4a of section 13 of said By-law No. 10605, as amended, provides for the local improvement rates to be charged against abutting lands for work done under the Local Improvement Act;

AND WHEREAS By-law No. 94-002, passed on the 25th day of January, 1994 repealed subsection 4a of section 13 to By-law No. 10605, as amended, and re-enacted a new subsection 4a to section 13 to provide for increased maximum local improvement rates, chargeable on a per metre frontage basis against abutting lands for work done under the Local Improvement Act;

AND WHEREAS City Council, on March 12, 1996, in adopting Item 17 of the 4th Report of the Transport and Environment Committee directed that the maximum local improvement charges per metre of frontage be increased as hereinafter provided.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 4a of section 13 of By-law No. 10605, as re-enacted by By-law No. 94-002, is repealed and the following substituted therefor:

(4a) The chargeable amount per metre frontage referred to in clause (a) of subsection 4 shall be as follows:

1. For curbs only at the rate of \$79.00 per metre frontage.
2. For sidewalks only at the rate of \$101.00 per metre frontage.
3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of \$151.00 per metre frontage.
4. For roadway only, at the rate of \$260.00 per metre frontage.
5. For alleys, at the rate of \$107.00 per metre frontage.

- PASSED** this day of , 1996

MAYOR

6

The Corporation of the City of Hamilton

By-law No. 96-

To Amend By-law No. 85-159

Respecting:

COLLECTIBLE WASTE

WHEREAS By-law 85-159 was enacted by City Council on the 27th day of August, 1985, regarding the collection of waste.

AND WHEREAS City Council, on April 9, 1996, in adopting Section 19 of the 5th Report of the Transport and Environment Committee authorized this Amending By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Section 22 of By-law 85-159 is repealed and the following is substituted in lieu:

"22. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the penalties specified by section 61 of the Provincial Offences Act R.S.O. 1990, chapter P.33."

PASSED this

day of

1996.

CITY CLERK

MAYOR

(1996) 5 R.T.E.C. 19, April 9

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO ESTABLISH CITY LAND
DESIGNATED AS PART 2, ON PLAN 62R-5470
AS GARTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to establish the land described below as a highway to be known as Garth Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, which highway shall be known as Garth Street.

Part of Lot 3, Concession 1, in the geographic township of Glanford, designated as Part 2, on Plan 62R-5470.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1996, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	95 HEMPSTEAD DRIVE
	SERIAL NUMBER	06 07210 5700
	BRIEF LEGAL DESCRIPTION	PLAN 62M-489 LOT 2
	DATE OF REGISTRATION	DECEMBER 22, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT395505
	REDEMPTION DATE	DECEMBER 22, 1996
	TOTAL ARREARS	\$154,285.25

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF APRIL A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of April A.D. 1996

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HB2 A05
A31
1996

1996 April 25



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

URBAN MUNICIPAL

**Tuesday, 1996 April 30
7:30 o'clock p.m.
Council Chambers, City Hall**

APR 26 1996

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Rev. Bruce Woods
Hamilton Christian Fellowship**
- 3. Presentations:**
**Provincial Championships "AAA" Adam Boys
Basketball - Blessed Sacrament
Paul Waychuck, Coach**
- 4. Adoption of the minutes of the meeting held 1996 April 9**
- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee
 - (b) Parks and Recreation Committee
 - (c) Planning and Development Committee
 - (d) Finance and Administration Committee
- 7. Notices of Motion for next meeting.**
- 8. Question Period.**
- 9. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 April 9
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross.

Absent: Alderman F. D'Amico - Civic business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Joseph Fulop, St. Stephen's Hungarian Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 March 26 were amended and adopted.

The minutes of the special meeting held 1996 March 28 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Morris Smurlick who was a Past Member of the Hamilton Civic Hospitals Board of Directors.

Mayor R. M. Morrow announced to City Council that His Royal Highness the Prince of Wales would be visiting the City on 1996 May 26 for a three hour period. The Mayor outlined the plans being made for this visit.

CORRESPONDENCE/PETITIONS

1. Letter and petition dated 1995 November Re: Funding of Wesley Urban Ministries.

Received.

2. Letter dated 1996 March 29 from M. Jane Lee, Clerk/Director of Administrative Services for the Town of Flamborough regarding the Final Report - Local Government Review Committee.

Received.

3. Letter dated 1996 April 9 from J. J. Schatz, City Clerk advising of objections to By-law No. 96-033 respecting property at 1600 Garth Street, Hamilton, Ontario

No Action Taken.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Wilson, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

Rule No. 9 Re: Parking regulation on Glenvale Drive.

It was moved by Alderman Merling and seconded by Alderman Ross that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting a parking regulation on Glenvale Drive.

CARRIED.

* * * * *

Section 27 Re: Parking Regulation on Glenvale Drive and Bill A-18: A By-law to Amend By-law No. 89-72 to Regulate Traffic

It was moved by Alderman Merling and seconded by Alderman Ross that the following resolution be added as Section 27 of the FIFTH Report of the Transport and Environment Committee for 1996:

- (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Glenvale Drive between Garth Street and Cranbrook Drive be shortened, such that the regulation commences at a point 234 feet west of Garth Street and extends to Cranbrook Drive and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

A-18 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 2 Re: Zoning Application 95-34, Re: 252, 262, and 268 James St. S.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 8 (a) (i) Attaching an Appendix "B"

It was moved by Alderman Drury and seconded by Alderman Copps that Item 8 (a) (i) of the Sixth Report of the Planning and Development Committee for 1996 be amended by adding the words "marked as Appendix "B". **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 9 Re: F.C.M. Conference

It was moved by Alderman Copps and seconded by Alderman Kiss that Section 9 of the Seventh Report for 1996 of the Finance and Administration Committee be amended to authorize the Mayor, the Chairman of the Finance and Administration Committee or his designate and two members of Council to attend the F.C.M. Conference.

Recorded vote

YEAS: Aldermen Kiss, Agro, McCulloch, Copps. -4.

NAYS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -12. **LOST.**

* * * * *

Section 9 Re: F.C.M. Conference - Calgary

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

NOTICE OF MOTION
(Notice given - February 27, 1996)

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following resolution be considered:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

* * * * *

It was moved by Mayor Morrow and seconded by Alderman McCulloch that the motion by Alderman Agro respecting the lowering of taxes in designated areas in the City be amended by deleting the third paragraph in its entirety and substituting in lieu thereof the following:

WHEREAS the assessed value of properties is far too high and has had a devastating effect on the Central Business District,

and further by deleting the words:

"redistribute the tax burden and" in the third sentence of the fourth paragraph. **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman Ross that the motion respecting the seeking of special legislation to allow the City of Hamilton, the Region and School Boards to lower taxes in designated areas of the City be referred to the Finance and Administration Committee for detailed reports from the City Solicitor and City Treasurer. **CARRIED.**

RESOLUTION
(Closure of Hospitals in Hamilton)

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following resolution adopted by City Council at its meeting held March 12, 1996 be reconsidered:

- (a) That Hamilton City Council is on record as vehemently opposing the closure of any hospital, acute care or urgent care facility within its boundaries; and,
 - (b) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, all Area M.P.P.'s, the Hamilton-Wentworth Health Action Task Force and the Regional Health Council.
- CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch that the resolution adopted by City Council at its meeting held March 12, 1996 respecting the closure of any Hamilton hospitals be rescinded and replaced with the following motion:

Whereas the existing Hamilton Hospitals are absolutely vital to the health and welfare of Ontario citizens throughout south-western Ontario; and

Whereas the health services provided by these hospitals extend far beyond the boundaries of Hamilton-Wentworth; and

Whereas the continuing growth in population of south-western Ontario will increasingly require the services of these Hospitals; and

Whereas these Hospitals are Canadian Centres for specialties such as Heart Care, Cancer, Kidney Dialysis, Geriatrics, etc., thus creating a complete network of Health and Medical Care throughout the Region and beyond;

Therefore be it resolved:

- a) That the Council of the City of Hamilton is on record as vehemently opposing the closure of any hospital acute care or urgent care facility within its boundaries.

- b) That City Council express its shock and disappointment to the Hamilton-Wentworth Health Action Task Force for recommending the closure of the Henderson General Hospital and the relocation of St. Joseph's Hospital which has long been a success story with a great reputation for its outstanding health care service."
- c) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, all Area M.P.P.'s, the Hamilton-Wentworth Health Action Task Force and the Regional Health Council."
- CARRIED.**

Recorded vote on Section (b)

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Morelli, Collins, Charters, Jackson, Merling, Anderson, Ross. -13.

NAYS: Aldermen Caplan, Eisenberger, Wilson. -3.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:30 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 April 9
JJS/dg

CORRESPONDENCE

Correspondence:

1. Memorandum dated 1996 April 22 from Hazel Milsome, Secretary, Greater Hamilton Downtown Community Development Corporation's Founding Board Re: Gore Park Fountain Location.

Recommendation: Be Referred to Parks and Recreation Committee.

2. Letter dated 1996 April 22 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Health and Social Services Committee recommendation regarding Evacuation of Saltfleet Arena - City of Stoney Creek.

Recommendation: Be Referred to Parks and Recreation Committee.

3. Letter dated April 19 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Administrative Services Committee recommendation regarding Better Municipal Government - Final Report from the Constituent Assembly.

Recommendation: Be Referred to Finance and Administration Committee.

PUBLIC WORKS AND TRAFFIC DEPARTMENT

MEMORANDUM

TO: Joe Schatz
City Clerk
City Clerk's Office

YOUR FILE:

FROM: Hazel Milsome
Secretary, Greater Hamilton Downtown
Community Development Corporation's
Founding Board

OUR FILE: 94.6111
PHONE: 2755

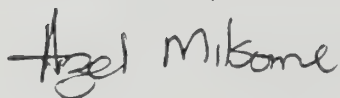
SUBJECT: Gore Park Fountain Location.

DATE: 1996 April 22

At its meeting held 1996 April 17, the Greater Hamilton Downtown Community Development Corporation's Founding Board approved a motion that City Council be requested to revisit the location of the Gore Park fountain. Presently the proposed location is the original 1859 location in the centre of the first block of Gore Park and, the Board is requesting that City Council specifically revisit the Hughson Street North site for placement of the fountain given the fact that little disruption occurred during reconstruction of the south leg of King Street between John and Hughson Streets during the Fall of 1996 that necessitated in the closure of Hughson Street North for a period of six weeks, and the fact that bus shelters are now proposed for installation in the first block of Gore Park.

Would you please present this information to City Council for its consideration. Since the Board is concerned with the timing of the project it requests that this item be considered by City Council as soon as possible, therefore would you please place this item on the agenda for City Council's meeting scheduled for 1996 April 30. The Board is also requesting that the neighbouring business people be consulted on the above request.

Should you require further information please call me at 2755.



Secretary
Greater Hamilton Downtown Community Development
Corporation's Founding Board

HM:hm

c.c.

Members of the GHDCDC's Founding Board



REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

April 22, 1996

Mr. J. Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

**Re: Health and Social Services Committee
Report 7-96, Item 8**

OFFICE OF THE CITY CLERK

APR 22 1996

REC. BY DATE
REF. TO DATE
REF. TO DATE
REF. TO DATE

ACTION

Subjoined, please find Item 8 of Report 7-96 of the Health and Social Services Committee which were approved by Regional Council at its meeting held on Tuesday, April 2, 1996.

8. Evacuation of Saltfleet Arena - City of Stoney Creek (HEA-96-044)

- a) That a copy of this report be forwarded to all area municipalities and the Ministry of Health and be submitted to Public Health & Epidemiology Report Ontario (PHERO) for publication;
- b) That all area municipalities be encouraged to ensure routine monitoring of all ice cleaning equipment;
- c) That all area municipalities be encouraged to review their monitoring procedures for measuring carbon monoxide and nitrogen dioxide concentrations, in their existing arenas;
- d) That all area municipalities be encouraged to install an interconnect relay between the exhaust fan and the zamboni garage.
- e) That staff be authorized and directed to provide annual updates to the Health and Social Services Committee.

Item 4.8

Should you have any questions or concerns with respect to this matter, please contact the Medical Officer of Health, Dr. M. James at (905) 546-3502.

Yours truly,

Mary L. Gallagher
Mary L. Gallagher
Legislative Assistant



Office of the Clerk

Robert C. Prowse,
Michael A. Rallo, Deputy Clerk

April 19, 1996

OFFICE OF THE CITY CLERK
APR 19 1996
REC. BY _____
REF'D. TO _____
FILED TO _____
REF'D. TO _____
ACTION: _____

Mr. Joseph J. Schatz
Clerk
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Regional Council, at its meeting held on April 16, 1996, adopted Item 1 of the Administrative Services Committee Report 9-96, as follows:

1. **Better Municipal Government - Final Report from the Constituent Assembly**
 - a) That the document entitled "Better Municipal Government - Final Report from the Constituent Assembly", be received;
 - b) That a copy of this document be forwarded to all area municipalities for review by their respective Councils;
 - c) That all responses be forwarded to the Regional Clerk by no later than Monday, June 3, 1996. **Item 2.1**

Staff of the Constituent Assembly Office have advised that sufficient copies of the staff report and background material have been forwarded to all members of City Council and Senior Management.

Should you have any questions or concerns respecting this item, please do not hesitate to contact our office at (905) 546-2148.

Yours truly,

Lynda Sohal (Ms.)
Legislative Assistant

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. (a) That, due to the environmental impact on the Hamilton Beach Strip Residential Community, the City of Hamilton, through its Chief Administrative Officer, utilize all powers available through City, Regional, Provincial and Federal Departments/Ministries, to proceed as quickly as possible to close down the CleanSoils Limited Waste Disposal Site - Processing Operations located at Pier 26 - Hamilton Harbour East Port Development; and,

(b) That the Chief Administrative Officer be directed to report back to the Transport and Environment Committee on the actions taken and the status of the issue in one months time.
2. That the existing "No Parking" regulation on the west side of Independence Drive which commences at Templemead Drive and extends to the south property of No. 100 Independence Drive be shortened, such that the regulation commences at the south property line of No. 14 Independence Drive and extends to the south property line of No. 100 Independence Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "Permit Parking" regulation on the east side of Paling Avenue commencing at a point 603 feet south of Barton Street East and extending to a point 27 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "Permit Parking" regulation be implemented on the north side of Huron Street commencing at a point 96 feet west of Stirton Street and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Harry Mason, No. 31 Huron Street.

5. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Herkimer Street commencing at a point 117 feet west of Locke Street and extending 184 feet westerly therefrom, be revised such that the regulation is in effect only from Monday to Friday, and the City Traffic By-law No. 89-72 be amended accordingly.

6.
 - (a) That the existing "No Parking" regulation on the north and east sides of Robson Crescent commencing at the east property line of No. 57 Robson Crescent and extending to a point 86 feet north of the north curb line of Robson Crescent be shortened such that the regulation commences at a point 74 feet east of the east curb line of Robson Crescent and extends to a point 86 feet north of the north curb line of Robson Crescent; and,

 - (b) That the existing "No Parking" regulation on the south side of Robson Crescent commencing at the west curb line of Robson Crescent and extending to a point 89 feet easterly therefrom be shortened such that the regulation commences at the west curb line of Robson Crescent and extends to a point 69 feet easterly therefrom; and

 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

7.
 - (a) That the following City land be incorporated into the following streets:

Claudette Gate	Part 4	62R-12354
Regina Drive	Parts 2,3,4,5,6	62R-9741; and,

 - (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-laws.

8.
 - (a) That the streetscape improvements proposed on MacNab Street, Charles Street and Hurst Place which include the following be undertaken:
 - (i) concrete crosswalks on the north side of Bold Street at MacNab and Charles Street and at the intersection of MacNab Street and Hurst Place; and,

- (ii) widened concrete landings on the north and south side of the MacNab Street pedestrian tunnel including landscaping and irrigation systems; and,
 - (b) That the cost of this work estimated at \$30,000. be charged to Account No. CF5295 42021 - 1995 Reconstruction Program, MacNab Street from Bold to Hurst.
9. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

" BATTLERIDGE SUBDIVISION (PHASE 3) ", Hamilton

City's Share \$32,625.00 Subdivider's Share \$355,732.00

" BOW VALLEY ESTATES ", Hamilton

City's Share \$ 3,972.33 Subdivider's Share \$136,157.45

" KEMP ESTATES ", Hamilton

City's Share \$ 2,101.31 Subdivider's Share \$58,900.96

" KENTLEY LANE ", Hamilton

City's Share \$ -NIL- Subdivider's Share \$153,241.00

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Battleridge Subdivision - Phase 3", "Bow Valley Estates", "Kemp Estates", "Kentley Lane" and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

- (e) That the Treasurer recommend the source of funding for the City's share of services for "Battleridge Subdivision - Phase 3", "Bow Valley Estates" and "Kemp Estates".
- 10. That the Commissioner of Public Works and Traffic be directed to report back to the Transport and Environment Committee on how the City may be better able to provide co-ordinated services relating to transportation and environment currently provided on the City's behalf by the Region.
- 11. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-19 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-20 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (c) A-21 A By-law to Incorporate City Land Designated as Part 4, on Plan 62R-12354 into Claudette Gate
 - (d) A-22 A By-law to Incorporate City Land Designated as Parts 2, 3, 4, 5, 6 on Plan 62R-9741 into Regina Drive

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 April 22

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. That approval be given to install an Ontario Heritage Foundation Plaque at the south-east entrance of Victoria Park (Locke and King Streets) near the floral display to commemorate the "Nine-Hour Movement", a gathering held in May 1872 in the Great Central Park (changed to Victoria Park circa 1891) by union and non-union workers crusading for a shorter workday.
2. That approval be granted for the demolition of the twin gazebos (c.1965) on the North lawn of Dundurn Castle.
3.
 - (a) That the City of Hamilton accept the offer of the sculpture of Sir Allan Napier MacNab as commissioned by the MacNab Circle; and,
 - (b) That the estimated cost of \$10,000. for the sculpture be financed by fundraising by the MacNab Circle and that any short-fall in funding be covered by the MacNab Circle; and,
 - (c) That the Finance and Administration Committee be requested to authorize the City Treasurer to undertake the following:
 - (i) That an account be opened by the Treasury Department to receive all donations, made payable to the City of Hamilton, for this initiative; and,
 - (ii) That the City of Hamilton issue Charitable Income Tax Receipts for donations of \$10. and over.
4. That Section 1 of the THIRTEENTH Report of the Parks and Recreation Committee for 1983 respecting regulations for burial of Veterans in the Field of Honour, Woodland Cemetery, be amended to require that full payment for the required upright granite headstone accompany all applications for burial in the Field of Honour.

5.
 - (a) That approval be given to The Hamilton Ships Company of 1812 to fire artillery (between 10:00 o'clock a.m. and 12:00 o'clock noon on 1996 July 13) in Harvey Park as part of the Burlington Races Re-enactment; and,
 - (b) That approval be subject to the following terms and conditions:
 - (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability and severability of interest clause; and,
 - (ii) That insurance, in the amount of \$2 million dollars Comprehensive general Liability Insurance or Commercial General Liability Insurance be provided; and,
 - (iii) That Black Powder regulations as laid out by Parks Canada for use of artillery be adhered to; and,
 - (iv) That the area where the cannons are being staged be roped off in order to keep the public away from the firing area; and,
 - (v) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the organizer's expense; and,
 - (vi) That the Ships Company assume responsibility for all labour-related costs as a result of this event including setup and cleanup; and,
 - (vii) That the event be monitored by the Special Events (Festival Advisory Team); and,
 - (viii) That the Director of Culture and Recreation be given permission to apply for a Special Occasion Permit for the purpose of serving wine for 75-80 invited guests in the now-restored public program areas of the Castle (Billiard Room and Bowling Alley).
6. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be given to the Comunita Racalmutese Maria S.S. Del Monte to hold a Fireworks Display on Bayfront Park on 1996 June 23, subject to the following terms and conditions:

- (a) That Racalmutese Maria S.S. Del Monte Ontario Inc. use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1996 June 23; and,
 - (c) That Racalmutese Maria S.S. Del Monte Ontario Inc. comply with all sections of By-law No. 90-198; and,
 - (d) That the Racalmutese Maria S.S. Del Monte Ontario Inc. agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
7. That approval, as required by Section 11, Parks By-law No. 95-126, be given to the organizations as follows:
- (a) Hamilton Touch Football Association - 1996 June 1 and June 2 - Mohawk Sports Park; and,
 - (b) Hamilton Press Club - 1996 June 8 and June 9 - Globe Park

to sell alcoholic beverages in those locations and on the dates specified, subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That alcoholic beverages be served in a confined and fenced area of the Park; and,
- (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,

- (v) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (vi) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,
 - (vii) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.
8. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the Hamilton and District Labour Council to host the annual Labour Day Parade/Picnic in Dundurn Park Pavilion on 1996 September 2, 8:00 o'clock a.m. to 11:00 o'clock p.m. subject to the following terms and conditions:
- (a) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
 - (b) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
 - (c) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (d) That alcoholic beverages be served in a confined area (beer and wine only); and,
 - (e) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (f) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
 - (g) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (h) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

- (i) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
 - (j) That the Public Works Department's Street Vendors Program at Dundurn Park be allowed to remain open throughout the events; and,
 - (k) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
9. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the Hamilton Folk Arts Heritage Council to host the annual It's Your Festival in Gage Park on 1996 June 27, 6 o'clock p.m. to 11 o'clock p.m. and 1996 June 28 to July 1, 12:00 o'clock noon to 11:00 o'clock p.m., subject to the following terms and conditions:
- (a) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
 - (b) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
 - (c) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (d) That alcoholic beverages be served in a confined area (beer and wine only), with a maximum seating of 100 persons; and,
 - (e) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (f) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
 - (g) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

- (h) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (i) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
 - (j) That the Public Works and Traffic Department's Street Vendors Program at Gage Park be allowed to remain open throughout the events; and,
 - (k) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
- 10.
- (a) That the proposed increases attached hereto as Appendix "A" for Special Events permit fees in parks be approved and implemented for the 1996 Special Event/Festival Season, thereby generating an additional \$3,000. in revenues; and,
 - (b) That the 1996 current budget of the Culture and Recreation Department be adjusted accordingly; and,
 - (c) That public meetings with festival/event organizers be scheduled over the summer and fall months to establish a long term User Fee Policy for Festivals/Special Events.
- 11.
- (a) That the proposed adjustments to the fee schedule for the Recreational Tennis Program attached hereto as Appendix "B", be approved for the 1996 Playing Season, thereby generating an additional \$1,000. in revenues; and,
 - (b) That the 1996 current budget of the Culture and Recreation Department be adjusted accordingly.
- 12.
- (a) That staff be authorized to issue a purchase order to R.F. Lintack Architect Incorporated, for a total amount of \$78,810. plus applicable GST for the design, contract document preparation and construction administration of the barrier free design modifications of recreational facilities listed in Appendix "C"; and,
 - (b) That the amount of the purchase order be proportionately, to the construction cost estimate, charged to the following Accounts: CF 329341009, CF 329441016, CF 809453003, CF 809453004, CF 809453005; and,

13.
 - (a) That a purchase order be issued to M & M Painting and Sandblasting Cayuga, Ontario in the amount of \$58,800. plus applicable taxes for the cleaning and painting, of structural steel and light standards, and brush-blasting of precast underbelly, being the only acceptable bid received in accordance with specifications received by the Purchasing Division; and,
 - (b) That the work be financed from Renovations and Repairs - Ivor Wynne Stadium, Account No. CF5200 709654018.
 - (c) That staff be authorized, based on priority of use, to modify the scope of work and construction cost estimates for King's Forest Golf Course Clubhouse, Ivor Wynne Stadium, Brian Timmis Stadium and Chedoke Golf Course Clubhouse, in order to include Coronation Arena, Eastwood Arena and East Kiwanis Boys and Girls Club in the scope of work without increasing the overall budget allocation; and,
 - (d) That staff be authorized to advertise for Tender Call in the Hamilton Spectator once the construction documents are completed and approved by Citizen and Staff Committee Barrier Free Design Sub-Committee.
14.
 - (a) That the City's lease to the Region, which expired on 1995 August 31, of the City owned former Red Hill Creek School building, for use as a day care centre, be renewed; and,
 - (b) That the lease be renewed on the following terms and conditions:
 - (i) Term - five years, from 1996 May 1 to 2001 April 30; and,
 - (ii) Rent - \$9,000. per year, in monthly installments of \$750. plus realty taxes, if any, rent to be to be credited to Account No. CH44104 31106 (Civic Properties Rented); and,
 - (iii) Tenant to pay all operating costs of the building, including cost of operating it as a day care centre, all repairs and maintenance including, but not limited to repairs to the major structural components of the building such as the outer walls, roof, main electrical service and heating plant; and,
 - (iv) Alterations or additions to the building are subject to approval of the Director of Property and will become the property of the City at the expiry of the lease; and,

- (c) That the lease renewal be in a form satisfactory to the City Solicitor; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.
15. That a purchase order be issued to Arrowhead Paving Ltd. in the amount of \$149,826.87, including all taxes and contingency, for the supply and installation of concrete and asphalt at various parks within the City, being the lowest of five (5) tenders received in accordance with specifications C15-6-96 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from the Park Development & Redevelopment - 1996 Account No. CF5255 629654021.
16. (a) That The Head-of-the-Lake Historical Society and The Fountain Foundation be authorized to proceed at their cost with construction of the Gore Park Fountain; and,
- (b) That approval be conditional and subject to The Head-of-the-Lake Historical Society submitting:
- (i) complete construction schedule including time line and scope of work; and,
 - (ii) a list of qualified contractors in agreement with the scope and time line of project; and,
 - (iii) complete construction drawings with the City having final approval authority on the drawings; and,
- (c) That The Head-of-the-Lake Historical Society shall have public liability insurance in the amount of \$3 million naming the City as co-insured for the duration of the construction project; and,
- (d) That the Department of Public Works and Traffic and the Law Department be authorized to prepare any contracts and legal agreements with The Head-of-the-Lake Historical Society as required to facilitate the construction of the fountain; and,
- (e) That the Mayor and City Clerk be authorized to sign such agreements for the City.

17. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to Sheridan College or its designate for the purpose of serving wine for approximately 150-200 invited guests at No. 22 Veevers Drive on the evening of 1996 May 9th for the staging of their Showcase House '96 production.
18.
 - (a) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement between 744424 Ontario Limited (Tony Leontis) and The Corporation of the City of Hamilton, for the premises at Nos. 38-40 Centennial Parkway North, Hamilton, Units 3 and 4, for 3,700 square feet of space on the ground floor to be used for the Riverdale Outreach Recreation Program for Seniors and Youths, in a form satisfactory to the City Solicitor; and,
 - (b) That the lease for the above space at Nos. 38-40 Centennial Parkway North contain the following terms and conditions which will form part of the lease agreement:
 - (i) Premises: 3,700 square feet of rentable area being Units 3 and 4 on the ground floor, as shown on the attached plan; and,
 - (ii) Use: Riverdale Outreach Recreational Program; and,
 - (iii) Term: Three (3) years commencing 1996 June 1 or 30 days after the tenant improvements are completed by the Landlord terminating on 1999 May 31 or as adjusted by the commencement date. The Lessee (City) has the option to renew the lease for a further two year period with rental terms to be negotiated six months prior to the termination of the initial term; and,
 - (iv) Basic Rent: \$10. per square foot (Modified Gross) (\$37,000. per annum - \$3,083.33 per month) plus heat and hydro; and,
 - (v) Landlord's Work: The Landlord will construct at its own costs tenant improvements in accordance with the tenant's specifications and the Building Code requirements. The lease will not be executed until such time as the specifications and separate construction agreement is agreed to and executed by both parties. The following is a description of said tenant improvements:

(aa) In Unit 3, the following shall be constructed by the Landlord:

- (i) Existing washroom will be reconstructed to the City's Barrier Free standards (3.4) which standards have been provided to the owner's agent; and,
- (ii) The area to the rear of the premises will be constructed into a kitchen area with the walls and ceiling painted, cupboards and counter area with sink connected to water and drain, electrical outlets installed with wiring for a stove unit; and,
- (iii) The rear area west of the Proposed Kitchen will have the ceiling finished with T-Bar acoustic panels with appropriate lighting; and,
- (iv) The wall between Unit 3 and Unit 4 will be opened into the kitchen area and a locking fire rated door will be installed; and,

(bb) In Unit 4, the following shall be constructed by the Landlord:

- (i) Existing washroom will be reconstructed to the City's Barrier Free standard (3.4); and,
- (ii) The rear storage area will be separated from the washroom area by a wall and door which must lock; and,
- (iii) In the front area three offices and a meeting room will be built from floor to ceiling which will include locking doors with side glass panels and at least two electrical outlets in each room; and,
- (iv) the electrical service for these units will be served by a separate hydro meter. All

work to be completed in a good workmanlike manner; and,

- (vi) Front Signage: The Landlord will permit the Lessee to install a sign at the front of the leased premises; and,
- (vii) Parking: The Landlord will provide three (3) dedicated parking spaces in the front parking area and four (4) at the rear of the building; and,
- (viii) Sublet: The Tenant shall not assign or sublet all or any part of the Premises without the prior written consent of the Landlord which shall not be unreasonably withheld or delayed.
- (ix) Annual Debt Limit: The Landlord shall agree that the Lease and the Tenant's obligations hereunder shall be subject to compliance with the requirements of Ontario Regulation 710/92 or, in the alternative, the provisions of Section 65 of the Ontario Municipal Board Act such that the Lease and the Tenant's obligations shall not be rendered effective unless the Tenant's rental and other financial obligations hereunder satisfy the annual debt repayment limit of the Tenant as set by the Ministry of Municipal Affairs, or the approval of the Ontario Municipal Board has been first obtained authorizing this lease and the Tenant's obligations hereunder, failing which the Lease shall be rendered null and void.

19. (a) That, to accommodate the Dundurn Aviary, the City lease from the Royal Botanical Gardens, a building and its 7 acres or adjacent property which fronts on Oak Knoll Drive, (the former RBG Teaching Gardens); and,
- (b) That the said Lease be approved on the following terms and conditions:
- (i) Term, five (5) years from 1996 June 1 to 2001 May 31; and,
 - (ii) Rent, \$1. per year plus realty taxes, if any, to be charged to Account No. CH56398 62110; and,
 - (iii) Building shall only be used for the Dundurn Aviary; and,
 - (iv) City is responsible for all operating costs, including all charges for heating fuel, electricity, water and sewer charges, realty taxes, (if any), maintenance of the leased premises including grass cutting and snow removal; and,
 - (v) Royal Botanical Gardens is responsible for repairs to major structural components of the building, including but not limited to its outer walls, the roof, main electrical service and heating plant; and,
 - (vi) City's renovations/improvements to the building are subject to RBG's prior approval, such approval not to be unreasonably withheld; and,
 - (vii) City is permitted to continue with the existing Community Garden Plot program, with the funds derived from this public use to be credited against operating costs for the property; and,
 - (viii) Lease may be terminated on six (6) month notice by either party; and,
 - (ix) City may renew lease for a further term provided rent and renewal term are mutually agreed upon six (6) months prior to the expiry of the subject lease; and,
- (c) That as contemplated in the recommended lease with RBG, The Commissioner of Public Works and Traffic be authorized to rent out garden plots to the public as part of the allotment garden program previously established by the RBG; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the said Lease in a form satisfactory to the City Solicitor.

20.
 - (a) That the Director of Culture and Recreation be authorized to negotiate revised three year contracts with the Chedoke and Kings Forest Golf Pro's satisfactory to the City Solicitor; and,
 - (b) That a review of the City Golf Course operations, including audited statements be presented to the parks and Recreation Committee by the end of each calendar year; and,
 - (c) That the Director of Culture and Recreation report back on options of filling the vacant position of Co-ordinator of Golf Operations.
21.
 - (a) That the request of Carmens Off-Premise Catering Ltd. to continue to renegotiate their contract with the City for the provision of food services at Kings Forest Golf Club be approved; and,
 - (b) That the Chief Administrative Officer and Director of Property be directed to report back to the Parks and Recreation Committee on the negotiations in one months time.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 April 16

1995 SPECIAL EVENT
PERMIT FEES (including GST)
(all rates are per day)

Category 1 – all parks	
Festivals – two days or more	\$125.00

Category 2 – all parks	
Community Events – one day	\$25.00
Gage Park Bandshell	
weekdays	\$47.25
weekends	\$52.50
Dundum Park Pavilion	
weekdays	\$31.50
weekends	\$36.75
Open Space – permitted	\$15.00

Wedding Photos	
– all parks	\$15.00

PROPOSED 1996 SPECIAL EVENT
PERMIT FEES (including GST)
(all rates are per day)

Major Community Event/Festival (over 100,000 attendance)	
Gage Park – with bandshell	\$200.00
Gage Park – without bandshell	\$175.00
Bayfront Park	\$250.00
Pier 4 Park	\$140.00
Gore Park	\$125.00
Dundum Park – with pavilion	N/A
Dundum Park – without pavilion	N/A

Community Non-Profit Event & Private Rental	
Gage Park – with bandshell	\$75.00
Gage Park – without bandshell	\$50.00
Bayfront Park	\$75.00
Pier 4 Park	\$75.00
Gore Park	\$50.00
Dundum Park – with pavilion	\$75.00
Dundum Park – without pavilion	\$50.00

Wedding Photos	
all parks	\$50.00

New Fees for 1996

- \$100 non-refundable
liquor processing fee
- permit fees for events longer
than four (4) days are negotiable
- permit fees for profit companies
are negotiable

Appendix "B" (page 1) as referred to in Section 11 of the Sixth Report of the Parks and Recreation Committee for 1996

TENNIS PROGRAM FEES 1996

(A) Introduction

The Tennis Program has expanded its delivery of services in recent years with the addition of pre-season lessons and private lessons. Now, however, a change is needed in the way the service is being marketed to the public.

(B) Tennis Program - Summer Lesson Fees

- (i) Group Lesson 1995 Proposed Group Lesson 1996
 8 classes - \$12.00 7 classes - \$20.00

* The above fee change for children's group lessons would reflect the additional cost of adding a tennis handbook and T-shirts to the program. T-shirts will be an important component in marketing these lessons and expanding our registration.

- (ii) Adult Group Lesson '95 Proposed Group Lessons '96
 6 classes - \$25.00 6 classes - \$30.00

* The above change in adult group rates maintains a price differential with the children's program and more accurately reflects the cost of program delivery.

- (iii) Pre-season Lessons '95 Proposed Pre-season Clinics '96
 7 lessons - \$12.00 4 clinics - \$12.00 (youth program)
 5 lessons - \$25.00 4 clinics - \$25.00 (adult program)

* Offering specific skill clinics to replace pre-season lessons and boost enrolment.

(C) Summer Tennis Tournaments - Fees and Structure

The present structure has seen a decline in participation and the following changes are recommended. To enhance marketing we are proposing to name our summer tennis tournaments the "Summer Slam Tennis Tour". The Tour would consist of 5 recreational tournaments with participants coming from our lessons and club programs as in the past. Corporate sponsors would be invited to attach their name to an event in exchange for prizes.

Tournament Fees '95	Proposed Tournament Fees '96
\$4.00 /event	\$5.00 /event or \$20.00 /5 events

Appendix "B" (page 2) as referred to in Section 11 of the Sixth Report of the Parks and Recreation Committee for 1996

(D) Membership and Court Fees

Fees	1995	Proposed Fees 1996
Family	\$52	\$50
Adult	\$27	\$30
Inter.	\$19	\$20
Junior	\$14	\$15
Senior	\$7	\$10
Guest	\$3.50	\$3 (adult) \$2 (youth)

* Proposed membership and court fee changes are designed to aid court monitors in fee collection, very often they run out of change on the courts and this results in a loss of revenue. Guest fee changes are designed to parallel adult and youth fees charged at recreation centres for facility use.

(E) Summary

The proposed Tennis Program changes will give tennis an opportunity for more visibility in the community, which will hopefully result in more participation.

Membership and guest fee changes will ease fee collection at the courts and should generate increased revenue.

Appendix "C" as referred to in
Section 12 of the Sixth Report of
the Parks and Recreation Committee
for 1996

PROJECT LOCATION

FUNDING SOURCE

Barton Community Centre,
Norman Pinky Lewis Swimming Pool

Capital Budget, 1993
Capital Budget, 1993

Churchill Recreation Centre
Eastmount Community Centre
Normanhurst Community Centre
Laurier Recreation Centre

Capital budget, 1994
Capital budget, 1994
Capital budget, 1994
Capital budget, 1994

Bennetto Recreation Centre
Mountain Arena
Hill Park Recreation Centre
Dalewood Recreation Centre
Chedoke Golf Course Clubhouse
Brian Timmis Stadium
Ivor Wynne Stadium
Eastwood Arena*
Coronation Arenas*
East Kiwanis Recreation Centre*

Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program
Infrastructure Program

Details of proposed scope of work for the above noted facilities are available from Hoda Kayal at X4615.

Please Note That: Facilities marked with *, were not included in the original list submitted to the Canada Ontario Infrastructure programme as the facilities were in the Capital Budget of 1994 for major renovations.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-21, Micor Developments Inc., prospective owner, requesting a further modification to the established "DE" (Low Density Multiple Dwellings) District, for property located at south-west corner of Chedmac Drive and Rice Avenue, shown as Block "2" on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to Block "2" of the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "2" until the applicant has completed a noise study, and any required works, to the satisfaction of the Ministry of Environment and Energy.

City Council may remove the 'H' symbol, and thereby give effect to the "DE" District, modified, provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;
 - (ii) That Blocks "1" & "2" of the subject lands be zoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
 - (iii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of By-law No. 6593, applicable to Blocks "1" & "2", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10A(1) of Zoning By-law No. 6593, a maximum of forty-one (41) townhouse units shall be permitted on Block "1", and a maximum of forty (40) townhouse units shall be permitted on

Block "2", subject to the "RT-20" (Townhouse - Maisonette) District provisions of Section 10E;
 - (2) That notwithstanding Section 10E(3) of Zoning By-law No. 6593, no building or structure shall exceed one and a half (1-1/2) storeys and 9.5 m (31.16 feet) in height on Blocks "1" & "2";

- (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1357, and that the subject lands on Zoning District Map W-37 be notated S-1357;
 - (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 for presentation to City Council;
 - (vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (vii) That the Approved Mountview Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Attached Housing" upon finalization of the implementing By-law.
- (b) That By-law No. 91-207, applicable to the subject lands, be repealed in its entirety.
2. (a) That approval be given to Zoning Application 95-06, 603976 Ontario Inc. (Terra Homes), owner, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for single detached dwellings through plan of subdivision, for lands located in the area east of Upper James Street and north of Chipman Avenue, as shown on the attached map marked as APPENDIX "B";
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593, as amended by By-Law No. 90-351, for presentation to City Council.
3. (a) That a purchase order be issued to O. Ciccarelli & Sons Contracting Ltd. in the amount of \$90,050.37 including all taxes and contingency, for the landscape construction of Barton Street and West Avenue School, being the lowest of three tenders received in accordance with specifications C15-7-96 issued by the Purchasing Division and the Vendor's Tender, and that this expenditure be financed from the Barton Street Revitalization Program Account N. CH24107 0001; and,
- (b) That approval be given for the actions of the Chief Administrative Officer for authorizing the initiation of the revitalization work recognizing that this work is to be completed by 1996 May 31, and therefore the above have been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

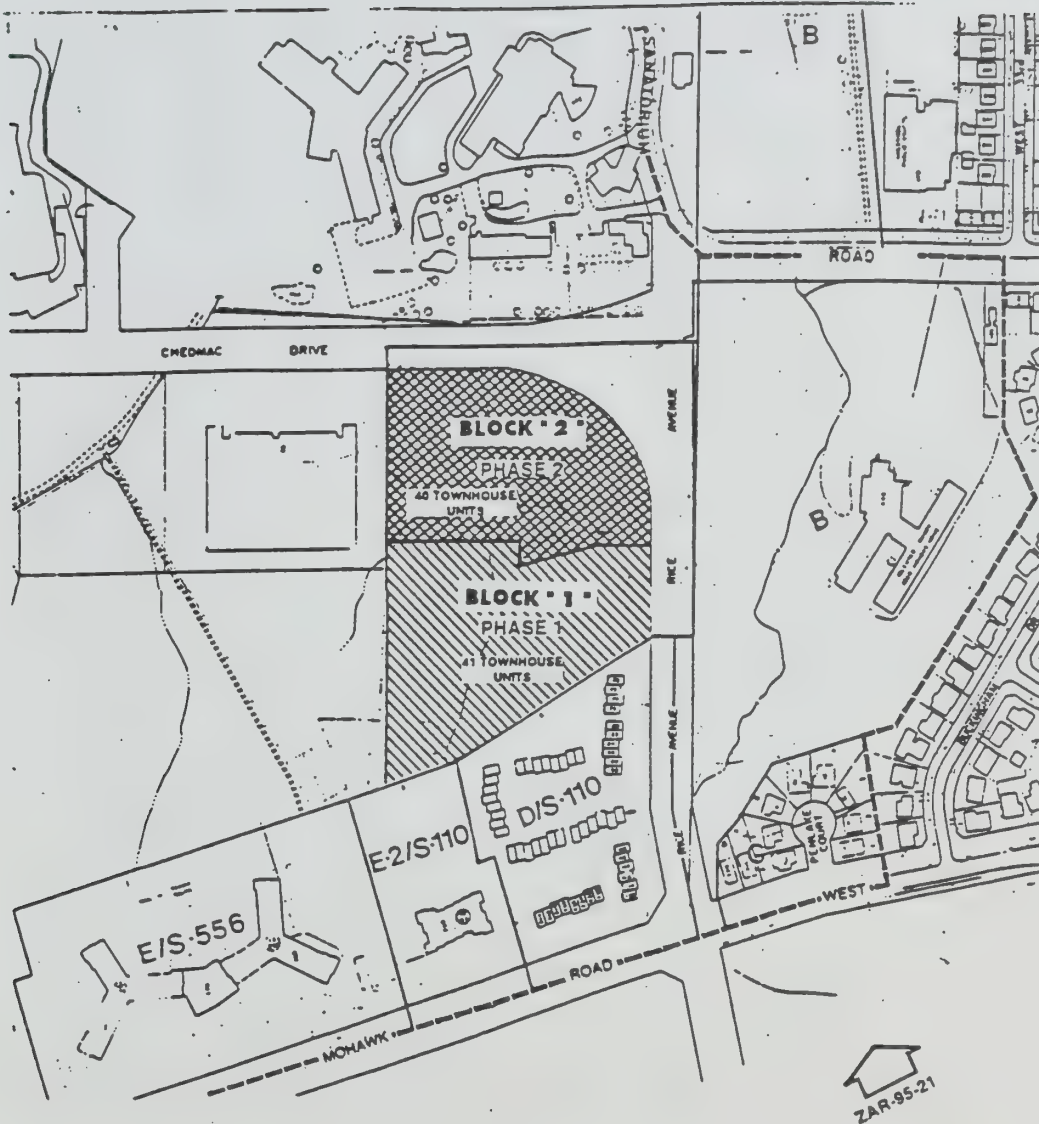
4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and fifty dollars (1,350) be approved for Lisa Blawatt, 37 Burlington Street East. The interest rate will be 8 per cent amortized over 5 years.
5.
 - (a)
 - (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Minh Vu and Thuan Dang for improvements to 328 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program, and;
 - (b)
 - (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to Minh Vu and Thuan Dang for exterior storefront improvements to 328 Barton Street East be approved, subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
6. That the Chairman of the Committee of Adjustment or his nominee be authorized to attend the 1996 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for three days, 1996 June 2 - 5, in Barrie Ontario at an expense not to exceed \$880 to be charged to account CH 55201-10010, Legislative Travelling.
7.
 - (a) That the request by Urbex Engineering Limited, agent, on behalf of 822827 Ontario Inc., owner, to extend draft plan approval for "Wisemount Estates" subdivision under Regional File No. 25T-83004 for a further five (5) year period to May 13, 2001, be approved.
 - (b) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.
8. That the recommendation regarding a draft plan and subdivision for lands located south of Rymal Road East and west of the proposed extension of Upper Sherman Avenue, as approved by the Planning and Development Committee on 1996 March 20, be approved as follows:

- (a) That the Subdivision Agreement be entered into by the Corporation of the city of Hamilton and the owner to provide for compliance with the conditions of approval established by the regional Municipality of Hamilton-Wentworth with respect to this application (25T-94005(R)), Shermal Developments Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
 - (b) That the Chappel East Neighbourhood Plan be amended to change the internal road pattern and the realignment of Upper Sherman Avenue between Rymal Road East and the City limits upon finalization of the implementing By-law; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision regarding Subdivision Application 94-03.
9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-18 A By-law To Repeal B-law No. 88-250 To Adopt Official Plan Amendment No. 66 Respecting The Central Area Plan.
 - (b) C-19 A By-law To Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 832 Upper Wentworth Street.
 - (c) C-20 A By-law To Establish Site Plan Control Respecting Land Located at Municipal No. 832 Upper Wentworth Street.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 April 17**



APPENDIX A

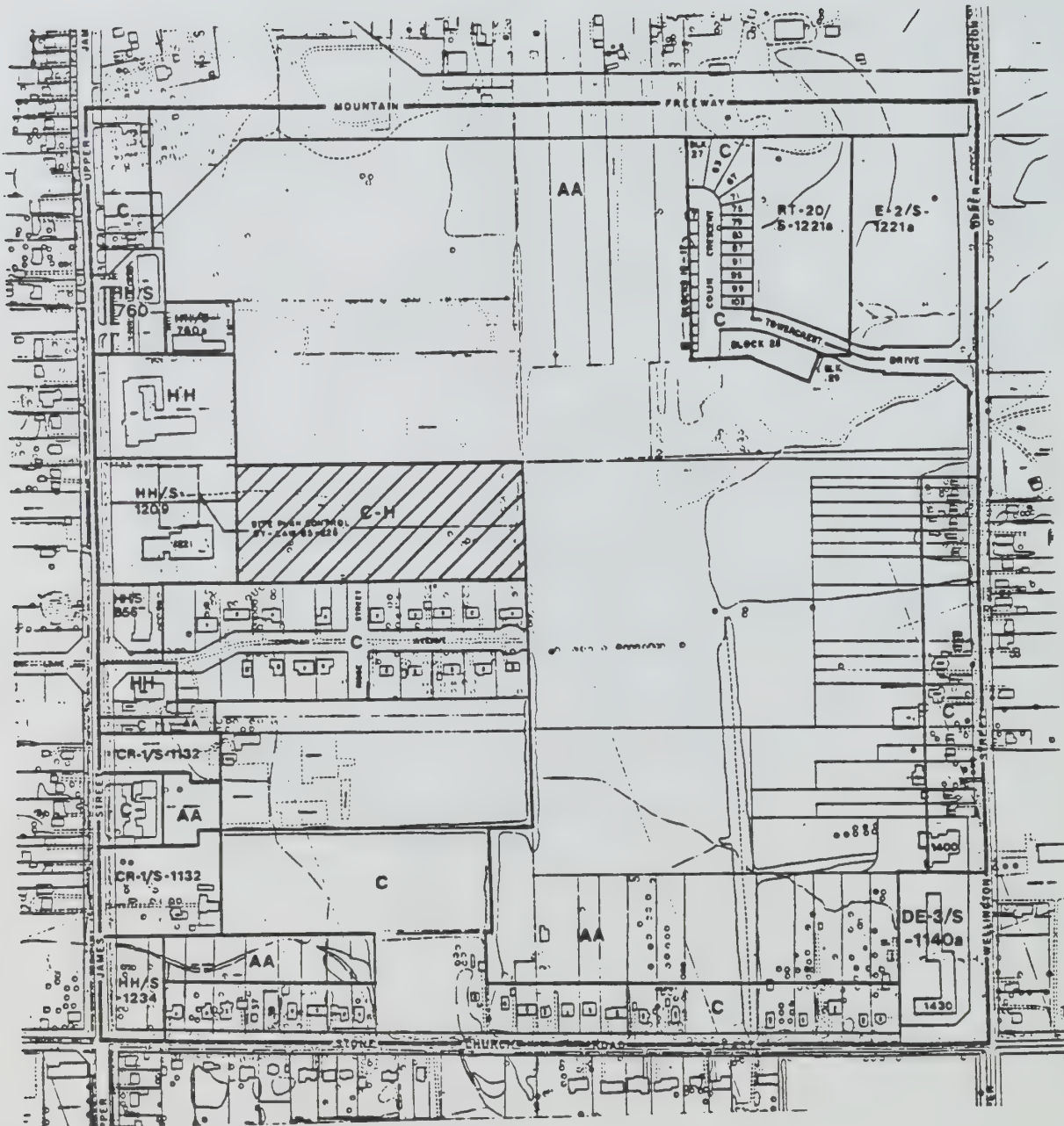
LEGEND:

Block "1" - From "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, Modified

Block "2" - From "AA" (Agricultural) District to "DE" - 'H' (Low Density Multiple Dwellings - Holding) District, Modified

1996 April 30

Appendix "B" referred to in
Section 2. (a) of the SEVENTH Report
of the Planning and Development
Committee for 1996.



Legend



Site of the Application


ZAR-95-06

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. That approval be given to the request of the Planning Department to use the 2nd Floor Lobby (West) from 1996 April 15 to 24 and from 1996 April 29 to May 10 for a display with regard to the Official Plan Review.
2. That the listing of Appointments to Permanent Positions with the Corporation of the City of Hamilton to 1996 April 3, attached herewith and marked Appendix "A", be approved.
3. That the 1996 Canadian Public Works Association Conference & Exposition from June 9 to 12 while in Hamilton have the use of:
 - (a) The printing facilities in City Hall to produce copies of the papers being presented for the delegates attending the Conference; and,
 - (b) The City's van and driver to accommodate small groups (6 to 10) of delegates to places of interest within Hamilton.
4.
 - (a) That City Hall and all non-essential municipal services that are not revenue generating, be closed on 1996 December 27, 30 and 31; and,
 - (b) That staff have the option of taking the three days as either vacation, lieu time, or unpaid leave or 6 days from their respective sick leave bank; and,
 - (c) That staff prepare an operational plan to provide for the maintenance of essential services for approval by Management Team; and,
 - (d) That the City Clerk be directed to appropriately advertise the closure.

5. That Section 8(f) of the Benefit Package for the Management Group approved by City Council on 1987 September 29, be amended to read as follows:

Levels A-K - It is recognized that the functions performed by positions in the A-K range are not only performed between 9 and 5 Monday to Friday. In recognition of this fact a week (5 working days) of time off **may** be granted to an employee in this group at the discretion of the employee's Department Head.

6. (a) That approval be given for the City Treasurer to receive payments from the Firan Corporation in the total amount of \$30,000, made payable in U.S. funds, as donations towards Hamilton's Sesquicentennial Celebrations; and,
- (b) That the City Treasurer be authorized to grant these contributions received to Hamilton Sesquicentennial Celebrations Inc.

7. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-25 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan Reeder
Secretary
1996 April 16

Appendix "A" referred
to in Section 2 of the
EIGHTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Andrea McDonald	I	Gardener II (D14)	Public Works	Replacing Mr. R. Manual - promoted April 17/95	\$36,052.64	March 18/96

Prepared April 3, 1996

Status

Internal - I
External - E

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 APRIL 30
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Independence	West	commencing at the south property line of 14 Independence and extending to the south property line of 100 Independence	Anytime
Robson	North and East	commencing 74 feet east of the east curb line of Robson and extending to a point 86 feet north of the north curb line of Robson	Anytime
Robson	South	commencing at the west curb line of Robson and extending to a point 69 feet easterly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Independence	West	Templemead to the south property line of No. 100 Independence	Anytime
Robson	East & North	from the east property line of no. 57 Robson to a point 86 feet north of the north curb line of Robson	Anytime
Robson	South	from the west curb line of Robson to a point 89 feet easterly therefrom	Anytime."

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following item, namely:-

"Huron	North	commencing 96 feet west of Stirton and extending to a point 21 feet westerly therefrom	Anytime."
--------	-------	--	-----------

and by deleting therefrom the following item, namely:-

"Paling	East	commencing at a point 603 feet south of Barton to a point 27 feet southerly therefrom	Anytime"
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PASSED this	day of	A.D. 1995.
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CITY CLERK	MAYOR
------------	-------

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 31 (School Bus Loading Zones)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Herkimer	South	184 feet	commencing at a point 117 feet west of Locke	7:00 a.m. - 6:00 p.m. Monday to Friday."
-----------	-------	----------	--	---

and by deleting therefrom the following item, namely:-

"Herkimer	South	184 feet	commencing at a point 117 feet west of Locke	7:00 a.m. - 6:00 p.m. Monday to Saturday."
-----------	-------	----------	--	---

PASSED this _____ day of _____ A.D. 1995.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 4, ON PLAN 62R-12354
INTO CLAUDETTE GATE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Claudette Gate within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Claudette Gate.

Part of Block 144, Plan 62M-679, designated as Part 4, on Plan 62R-12354.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 2, 3, 4, 5, 6, ON PLAN 62R-9741
INTO REGINA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to establish the land described below as a highway to be known as Regina Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, which highway shall be known as Regina Drive.

Part of Lot 14, Concession 8, in the geographic township of Barton, designated as Parts 2, 3, 4, 5, 6, on Plan 62R-9741.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Repeal By-law No. 88-250
To Adopt Official Plan Amendment No. 66

Respecting:

THE CENTRAL AREA PLAN

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-250 on the 25th day of October 1988 to adopt Official Plan Amendment No. 66 respecting The Central Area Plan;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 9 of the 6th Report of the Planning and Development Committee at its meeting held on the 9th day of April 1996, recommended that By-law No. 88-250 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 88-250 is hereby repealed.

PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 6 R.P.D.C. 9, April 9

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 832 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (i) a hearing aid dispensing office on the first floor of the existing building having a maximum gross floor area of 95 m² (1000 square feet);
 - (ii) one dwelling unit in the basement of the existing building; and
 - (iii) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
- (b) a minimum 3.0 m wide landscape planting strip, and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line of Block 2;

- (c) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly lot line of Blocks 1 and 2;
 - (d) a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the easterly lot line of Block 1, except for any area used for vehicular access;
 - (e) notwithstanding Section 18A(1), of By-law No. 6593, no less than five (5) parking spaces shall be provided and maintained on the subject lands;
 - (f) Section 18A(14) of Zoning By-law No. 6593 shall not apply; and
 - (g) Section 18A(26) of Zoning By-law No. 6593 shall not apply.
3. (a) The 'H' symbols referred to in section 1 shall be removed conditional upon the applicant applying for and receiving approval for a Site Plan Control Application.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of this by-law.
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.
5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1355.
6. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1355.
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

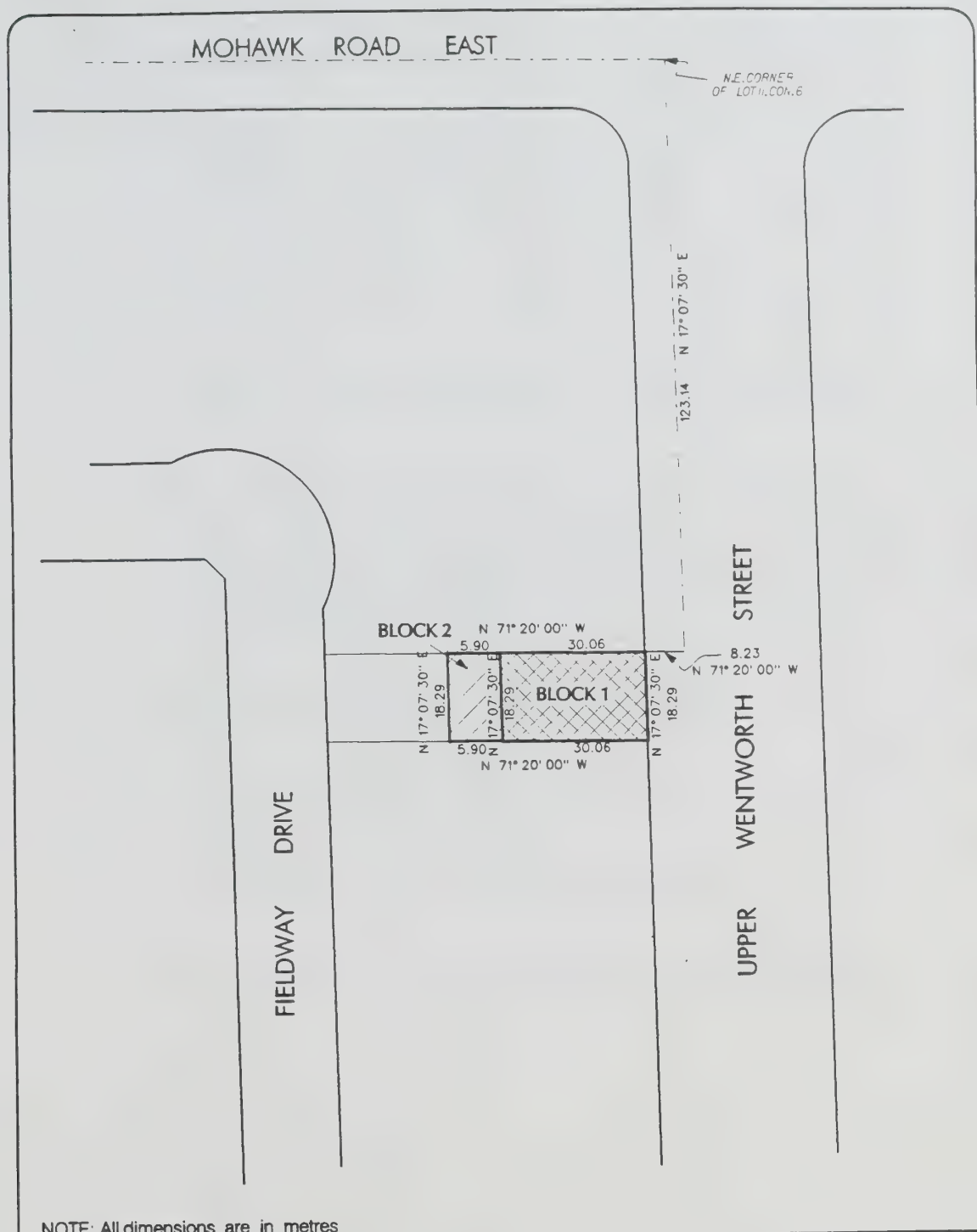
PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No.6593

Planning and Development Department

Legend

Proposed changes in zoning from :



AA (Agricultural) District to *C*-'H' (Urban Protected Residential, etc. - Holding) District.



C (Urban Protected Residential, etc.) District to
C-'H' (Urban Protected Residential, etc. -
Holding) District.

North



Scale
Not to Scale

Date
March 1996

Reference File No.
ZAC-95-33

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 832 UPPER WENTWORTH STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 158. Land located at Municipal No. 832 Upper Wentworth Street, shown on Appendix 158 hereto annexed and forming part of this by-law.
2. Appendix 158 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this

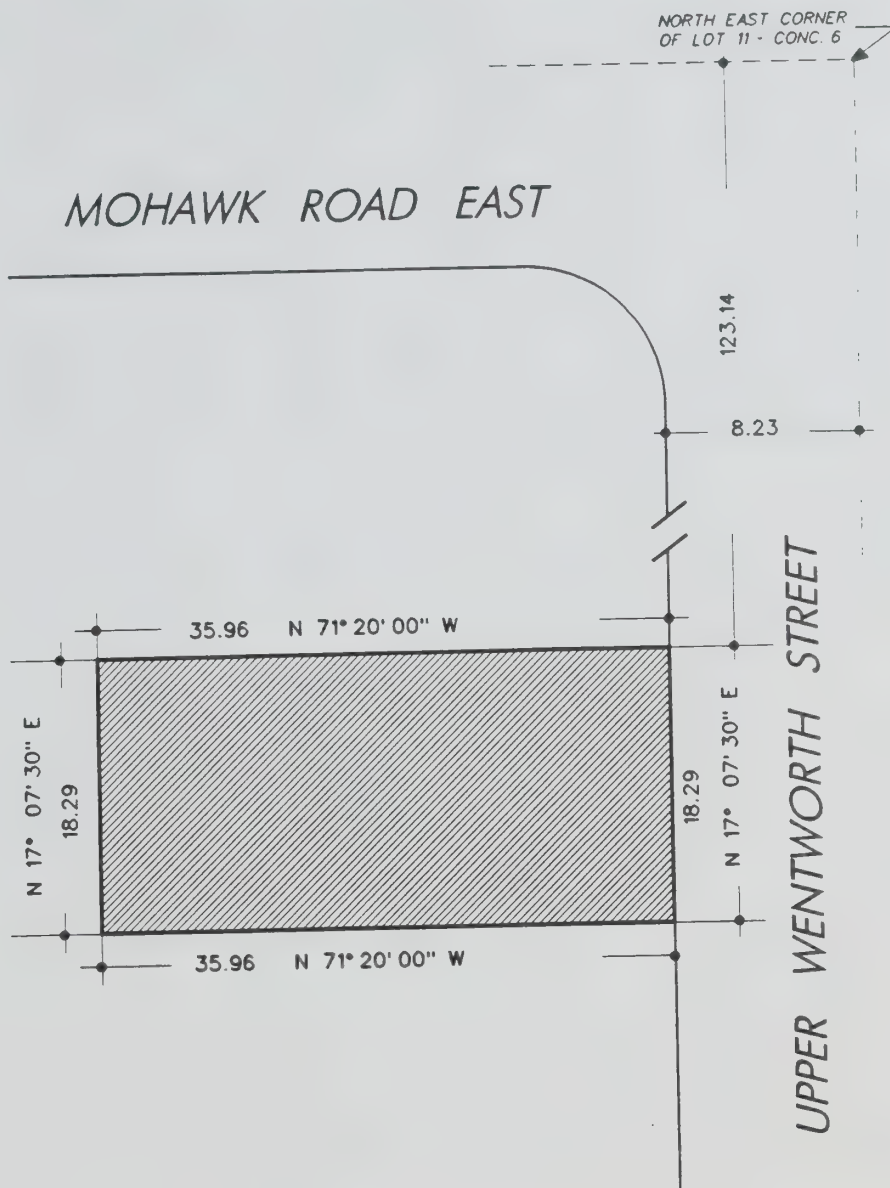
day of

A.D. 1996

CITY CLERK

MAYOR

MOHAWK ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

Clerk

Mayor

City of Hamilton

Appendix 158

to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
March 1996

Reference File No.

ZAC-95-33

Drawn By

W. B.

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF APRIL A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of April A.D. 1996

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05

A31
1996

1996 May 9



Mr. K. Roberts
Chief Executive Officer
Hamilton Public Library

2nd floor

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 May 14
7:30 o'clock p.m.
Council Chambers, City Hall**

J. J. Schatz, City Clerk

A G E N D A

URBAN MUNICIPAL

MAY 16 1996

GOVERNMENT DOCUMENTS

- 1. National Anthem.**
- 2. Opening Prayer: Major Garnett Cassell
Salvation Army Family Services**
- 3. Presentations:**
 - a) Cheque presentation made by Rick Campanella of the City of Hamilton Civic Employees Charity Committee to the United Way John Fitzpatrick, 1996 Campaign Chairman of the United Way Barry English, Interim Chief Executive Officer Gail Hampson, Information Systems, Christina McManus, Parking Authority**
 - b) Bronze Award Presentation to the Hamilton Civic Employees Charity Fund from the United Way.**
- 4. Adoption of the minutes of the meeting held 1996 April 30**
- 5. Correspondence**
- 6. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
- 7. Notice of Motion from previous meeting - Alderman V. Agro**
- 8. Notice of Motion for next meeting.**
- 9. Question Period.**
- 10. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 April 30
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger,
Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman B. Morelli - vacation
Alderman H. Merling - personal commitment

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend James Morrow, Hess Street Baptist Mission led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 April 30 were adopted as circulated.

PRESENTATION

Mayor Morrow presented Sesquicentennial Pins to the Blessed Sacrament "AAA" Adam Boys Basketball Team for winning the Provincial Championship.

CORRESPONDENCE

1. Memorandum dated 1996 April 22 from Hazel Milsome, Secretary, Greater Hamilton Downtown Community Development Corporation's Founding Board Re: Gore Park Fountain Location.

Referred to Parks and Recreation Committee.

2. Letter dated 1996 April 22 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Health and Social Services Committee recommendation regarding Evacuation of Saltfleet Arena - City of Stoney Creek.

Referred to Parks and Recreation Committee.

3. Letter dated April 19 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Administrative Services Committee recommendation regarding Better Municipal Government - Final Report from the Constituent Assembly.

Referred to Finance and Administration Committee.

4. Letter dated 1996 April 29 from Mr. G. M. Weis, President of CleanSoils Limited requesting council delay consideration of the recommendation of the Transport and Environment Committee respecting this firms operations at Pier 26, Hamilton Harbour East Port Development.

Referred to Transport and Environment Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Ross in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

Section 1 (b) Re: CleanSoils

It was moved by Mayor Morrow and seconded by Alderman D'Amico that Section 1 (b) of the Sixth Report of the Transport and Environment Committee be amended by adding the following after the word "actions" in the second line, "to be", and adding after the word "issue" in the third line the words "at every meeting of the Transport and Environment Committee", and deleting the words "in one months time" in the third line. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SIXTH REPORT

Section 3 Re: Sculpture of Sir Allan Napier MacNab - MacNab Circle

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the following be added to Section 3 of the Sixth Report for 1996 of the Parks and Recreation Committee:

3. (c) (iii) That the donations received by the City for this initiative be paid to MacNab Circle in the form of a grant." **CARRIED.**

* * * * *

Section 7 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 8 (d) Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 9 (d) Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 6 Re: Firan Corporation - Donations - Sesquicentennial Celebrations

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Alderman Wilson. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

Section 1 (c) By-law to Levy an Annual Tax on Telephone Companies

Alderman D. Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of Bell Canada.

* * * * *

Section 6 Re: Mezzanine Curtaining System - Copps Coliseum

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

NOTICE OF MOTION FOR NEXT MEETING

Alderman V. Agro gave notice that he would move at the next regular meeting of City Council the following motion:

WHEREAS the revitalization of Hamilton's Downtown Core is critical to the well being and prosperity of the entire region of Hamilton Wentworth; and,

WHEREAS "residential development" in the Downtown Core is fundamental to any improvement and revitalization of the Downtown; and,

WHEREAS, virtually every study and every opinion expressed on revitalizing the Downtown have clearly pointed to the lack of residential development in the Downtown as being at the very root of it's problems,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton waive all residential development charges in the area bounded by Queen, Cannon, Victoria and Hunter Streets for a 3 year period.
- (b) That the Region of Hamilton-Wentworth be requested to review it's development charges respecting the application of residential charges in the Downtown Core, that area outlined in section (a) with the intent of imposing no development charges in this area.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 April 30
JJS/dg

CORRESPONDENCE

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. That the City of Hamilton approve the request of the Wentworth Condominium Corporation No. 79 to reduce the minimum walkway width requirement for the walkway connecting Fonhill Road and Upper Paradise Road from ten feet to six feet.
2.
 - (a) That the construction of a concrete sidewalk on the south side of Solidarnosc Place from St. Olga Street to Barnesdale Avenue North proceed as a local improvement pursuant to Section 12 of the Local Improvement Act; and,
 - (b) That the By-law prepared by the Commissioner of Public Works and Traffic be enacted; and,
 - (c) That the City's Share of \$16,803.17 be financed from the 1996 Capital Levy (Account Centre No. CH22002) and the Owner's Share in the amount of \$1,396.83 be financed by the issuance of debentures for a period not to exceed 20 years; and,
 - (d) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures for the Owner's Share in the amount of \$1,396.83 for a term not to exceed 20 years for the above project; and,
 - (e) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
3. That pursuant to the terms of the City Tree By-law No. 92-155, Section 7, Sub Section (2), approval be given to Imperial Oil Ltd. 1445 Main Street West, to remove two 8" diameter White Ash trees on the City road allowance at the above noted address using the City of Hamilton, Department of Public Works and Traffic, Streets Division, Forestry Section staff, subject to the developer paying all removal and replacement costs, that sum being \$1,850.00.

4.
 - (a) That the existing "Permit Parking" regulation on the east side of Park Street North commencing at Vine Street and extending to a point 170 feet south of Cannon Street West be revised such that the regulation commences 50 feet north of Vine Street and extends to a point 158 feet northerly therefrom; and
 - (b) That a "No Stopping" regulation be implemented on the east side of Park Street North commencing at Vine Street and extending to a point 50 feet northerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
5. That a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Catharine Street North between Cannon Street East and Robert Street and that the City Traffic By-law 89-72 be amended accordingly.
6.
 - (a) That a "No Parking" regulation be implemented on the north side of Elmwood Avenue, commencing at West 32nd Street and extending to a point 60 feet westerly therefrom; and
 - (b) That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of West 32nd Street commencing at Elmwood Avenue and extending to a point 116 feet northerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
7.
 - (a) That an "Alternate Side Parking" regulation be implemented on Graystone Drive between Glenvale Drive and Greyfriar Drive (west leg), such that parking is prohibited:
 - i) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and
 - ii) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.

8. That the existing "Permit Parking" regulation on the south side of Hillcrest Avenue, commencing at a point 165 feet west of the extended west curb line of Beulah Avenue and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
9.
 - (a) That a "Permit Parking" regulation be implemented on the west side of William Street commencing at a point 28 feet south of Birge Street and extending to a point 18 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Kaiser Chimbo, 79 William Street.
10.
 - (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Landsdowne Avenue between Sherman Avenue North and Lottridge Street be revised such that the regulation commences at Sherman Avenue North and extends to a point 578 feet easterly therefrom; and
 - (b) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at a point 578 feet east of Sherman Avenue North and extending to a point 107 feet easterly therefrom; and
 - (c) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at a point 232 feet west of Lottridge Street and extending to a point 99 feet westerly therefrom; and
 - (d) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at Lottridge Street and extending to a point 58 feet westerly therefrom; and
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
11. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 23 feet southerly therefrom, be revised, such that the regulation is in effect from "9:00 a.m. to 10:00 p.m., Monday to Friday" and that the City Traffic By-law 89-72 be amended accordingly.

12. That a "No Parking" regulation be implemented on the north and east sides of Chedmac Drive commencing at Rice Avenue and extending to the northerly end of the street and that the City Traffic By-law 89-72 be amended accordingly.
13. That the existing "Permit Parking" regulation on the north side of Jackson Street East commencing at a point 201 feet east of Ferguson Avenue South and extending to a point 20 feet easterly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
14.
 - (a) That the existing "Commercial Vehicle Loading Zone, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East commencing 208 feet east of James Street South and extending to a point 68 feet easterly therefrom be removed; and
 - (b) That the existing "Taxi Stand, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East commencing 132 feet east of James Street South and extending to a point 75 feet easterly therefrom be relocated, such that the regulation commences 59 feet west of John Street South and extends to a point 81 feet westerly therefrom; and
 - (c) That the existing "No Parking - Loading Zone, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East, commencing 65 feet west of John Street South and extending to a point 196 feet westerly therefrom be shortened, such that the regulation commences 140 feet west of John Street South and extends to a point 118 feet westerly therefrom; and
 - (d) That a "No Parking - Loading Zone, 24 hours a day, 7 days a week" regulation be implemented on the south side of Hunter Street East commencing at a point 132 feet east of James Street South and extending to a point 144 feet easterly therefrom; and
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
15. That a "No Stopping" regulation be implemented on the south side of Glenvale Drive commencing at Garth Street and extending to a point 46 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
16. That a "No Parking" regulation be implemented on the east side of Glassco Avenue North commencing at Melvin Avenue and extending to a point 116 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

17. That a four-way stop control be implemented at the intersection of Crockett Street and East 27th Street, and that the City Traffic By-law 89-72 be amended accordingly.
18.
 - (a) That northbound traffic on San Marco Street be required to stop for eastbound and westbound traffic on San Fernando Drive; and
 - (b) That southbound traffic on San Marco Street be required to stop to eastbound and westbound traffic on San Pedro Drive; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
19.
 - (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be installed:

Route #5 Delaware

Add - Eastbound - Whitney Avenue, south side, 548 feet east of the east curb line of Rifle Range Road (M/B); and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
20. That a "School Bus Loading Zone, 11:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on the east side of Harrisford Street commencing at a point 165 feet south of the south curb line of Albright Road and extending 36 feet southerly and the City Traffic By-law 89-72 be amended accordingly.
21. That a "School Bus Loading Zone, 11:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on the east side of Smith Avenue commencing at a point 218 feet north of the north curb line of Cannon Street East and extending 25 feet northerly and the City Traffic By-law 89-72 be amended accordingly.
22.
 - (a) That the hours of the existing full-time "Wheelchair Loading Zone" regulation on the south side of Clinton Street commencing at a point 53 feet east of Ruth Street and extending to a point 32 feet easterly therefrom be revised, such that the regulation is in effect from 9:00 a.m. to 5:00 p.m., seven days a week; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.

23. That the application of the March for Jesus organization to temporarily close Elgin Street from 1:30 p.m. to 2:30 p.m. on Saturday May 25, 1996, in conjunction with a new route for the annual March for Jesus parade be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the event organizer; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
24. That the application of the Snooty Fox Pub to temporarily close:
- (a) The south parking area on King Street in Westdale Village to hold a street party on Saturday June 8, 1996 at 3:00 p.m. to Sunday June 9, 1996 at 11:00 p.m.; and,

- (b) Parkside Drive between Devon Place and the intersection of Glen Road and Kipling Road on Sunday June 9, 1996 between 12:00 noon and 6:00 p.m. during the Family Picnic at Churchill Park festivities,

be approved, subject to the following conditions:

- i) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- ii) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
- iv) That all barricading be supplied by and at the expense of the applicant; and,
- v) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the event organizer; and,
- vi) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
- vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

25. That the applications to retain inadvertent encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council, provided;
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
 - (c) That the first year fees and subsequent annual fees outlined in Schedule "A" be set for the encroachments.
26. (a) That the following City land be incorporated into the following streets:
- | | | |
|----------------------|---------------|-----------|
| Dicenzo Drive | Part 10 | 62R-13294 |
| Nash Road | Part 3 | 62R-2530 |
| | Parts 5 & 7 | 62R-4039 |
| | Part 1 | 62R-7464 |
| Queen Victoria Drive | Parts 12 & 15 | 62R-6257 |
- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council.
 - (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.
27. That the City Solicitor prepare an amendment to the Streets By-law to include:
- (a) The terms and conditions upon which a permit for a temporary road closure for a special event will be issued; and,
 - (b) The delegation of approval for temporary road closure permits to the Mayor, the Ward Aldermen and the Chairman of the Transport and Environment Committee, by consent of at least three; and,
 - (c) Staff report the decision of the committee named above to the Transport and Environment Committee; and,

- (d) If the permit application is denied, that the event organizer may appeal to the Transport and Environment Committee and Council.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-23 A By-law to Authorize the Sale of the Closed Portion of Kenora Avenue, Designated as Parts 2 & 3, Plan 62R-3773
- (b) A-24 A By-law to Authorize the Sale of the Closed Alley Between Bay Street and Strachan Street as Closed by Judge's Order 142966, Designated as Part 4, Plan 62R-7821
- (c) A-25 A By-law to Incorporate City Land Designated as Part 10, on Plan 62R-13294 into Dicenzo Drive
- (d) A-26 A By-law to Incorporate City Land Designated as Part 3, on Plan 62R-2530 Parts 5 & 7, on Plan 62R-4039 and Part 1, on Plan 62R-7464 into Nash Road
- (e) A-27 A By-law to Incorporate City Land Designated as Parts 12 and 15, on Plan 62R-6257 into Queen Victoria Drive
- (f) A-28 A By-law to Authorize the Construction of Concrete Sidewalks on the South Side of Solidarnosc Place from Olga Street to Barnesdale Avenue North as Local Improvements as a City Initiative
- (g) A-29 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (h) A-30 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 May 6

SCHEDULE 'A' Council Date: 1996 May 14

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>	<u>File Number</u>
Sheaffe & Park	1 Sheaffe Street	Roman Catholic Episcopal of the Diocese of Hamilton	Concrete steps measuring 2.665m x 0.600m x 2.665m x 0.870m encroaching onto Sheaffe Street and Concrete Porch and Ramp measuring 1.060m x 6.950m encroaching onto Park Street.	\$138/\$20	T103 50 1235
Catharine Street N	197 Catharine Street N	L. Polkinghorne	Steps measuring 0.701m x 1.219m encroaching onto Catharine Street N.	\$138/20	T103 50 1240
Cumberland Avenue	206 Cumberland Avenue	D.J. Petruzzi	A portion of the steps measuring 1.219m x 0.165m encroaching onto Cumberland Avenue.	\$138/20	T103 50 1243
Robert Street	224 James Street North	G. Gioacchino L. Mattina S. Mattina C. Mattina	A portion of the building measuring 0.037m x 4.572m, encroaching onto Robert Street	\$138/20	T103 50 1237
Huron Street	19 Huron Street	J. Burchett & L. Gamache	A portion of the veranda measuring 0.436m x 4.877m x 0.652m x 4.877m and a portion of the steps measuring 0.917m x 0.076m encroaching onto Huron Street.	\$138/20	T103 50 1239

1996 May 14

Schedule "A" as referred to in Section 25 of
the Seventh Report of the Transport and
Environment Committee for 1996

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. (a) That Application CD-95-011 under the Rental Housing Protection Act, Robert and Hyacinth Dockeray, owners, for conversion of 15 rental row house units to condominium units for the property located at 11-23 Courtland Avenue, be **APPROVED** on the following conditions:
 - (i) That the Owner offer, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit, noted in APPENDIX "A" attached hereto, for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in APPENDIX "A", upon the following minimum terms:
 - (1) the Offer shall be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent; and,
 - (2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval; and,
 - (3) that leases entered into as a result of (i) and (ii) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (4) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (5) that such leases shall commence no later than the date the Rental Housing Protection Act Approval Agreement with the City is registered on title; and,
 - (6) that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.

- (ii) That the Owner grant to the Tenants residing at the premises as of the date of Council approval of the RHPA application an Option to Purchase a Unit specified in APPENDIX "A", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in APPENDIX "B" annexed hereto;
- (iii)
 - (1) That the City send by registered mail, to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - (2) That the notice indicated in section (i) above shall be sent immediately following the expiration of the appeal period of the Council approval; and,
 - (3) That the tenants noted in (i) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the option.
- (iv) That this RHPA approval shall cease and be at an end,
 - (1) if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - (2) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the City Solicitor, incorporating the City's conditions of approval listed herein (and in APPENDICES "A", "B" and "C" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
- (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;

- (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
 - (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
2. A. (a) That approval be given to Subdivision Application 25T-91014(R), 200 Rymal Road Inc. (A. DiSilvestro), owner, for a revision to the draft plan of subdivision "Allison Estates", on lands located at the south-west corner of Upper Wellington Street and Rymal Road East, in the Allison Neighbourhood, as shown on the attached map marked as APPENDIX "D" subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by W. Bruce Clark, O.L.S., dated January 17, 1996, showing 21 lots, Blocks "22" and "23" for 0.30m reserves, and one street identified as Court "A", as shown on the attached map marked as APPENDIX "E";
 - (ii) That Court "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.
 - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act,
 - (v) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
 - (vi) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
 - (vii) That the radius transition into and out of the cul-de-sac be increased to 10m.

- (viii) That the Owner provide documentation that the standard roadway cross-section, utilities and municipal sidewalks, etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width to the satisfaction of the Manager of Development, Regional Environment Department.
- (ix) That the Owner establish Court "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Manager of Development, Regional Environment Department.
- (x) That the Owner convey Block "22", that being a 0.30 m wide reserve along the rear of Lots 13 to 21 inclusive, and Block "23", to the Region of Hamilton-Wentworth, by deed, at the time of registration of the Final Plan of Subdivision.
- (xi) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (xii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (xiii) That the Owner enter into a subdivision agreement with the City of Hamilton, in order to satisfy all requirements, financial, engineering and otherwise, prior to the development of any portion of these lands.
- (xiv) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91014(R)), 200 Rymal Road Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.

- B. (a) That approval be given to Zoning Application 96-01, 200 Rymal Road Inc., (A. DiSilvestro), owner, requesting a change in zoning from "DE-3" (Multiple Dwellings) District, modified and "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, for lands located at the south-west corner of Upper Wellington Street and Rymal Road East, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "D", on the following basis:
- (i) That Blocks "1" and "2" be rezoned from "DE-3" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family Dwelling) District; and,
 - (ii) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District;
 - (iii) That the "R-4" (Small Lot Single Family Dwelling) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following variance as a special requirement:
 - (1) That notwithstanding Section 9A.(2)(b)1.(i) of Zoning By-law No. 6593, a front yard having a depth of not less than 7.0 metres shall be provided and maintained;
 - (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1358, and that Block "1" on Zoning District Map E-9E be notated S-1358;
 - (v) That the Director of Planning be directed to prepare a By-law in a form satisfactory to the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Map E-9E for presentation to City Council; and,
 - (vi) That the proposed changes and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the approved Allison Neighbourhood Plan be amended to add the public highway shown as Court "A" on the draft plan of subdivision and that the subject lands be redesignated from "Low Density Apartments" to "Single & Double" Residential upon finalization of the Zoning By-law.

3. (a) That approval be given to City Initiative CI-96-D, to provide for amendments to Zoning By-law No. 6593, respecting the regulation of third party/billboard signs, on the following basis:

- (i) That Section 2.(2)H(vig) of Zoning By-law No. 6593 be amended by adding "/Billboard" after the words "Signs, Third Party" in the title, so it reads as follows:

"Signs, Third Party/Billboard"

- (ii) That Section 13.(1)(xva) of Zoning By-law No. 6593 be deleted; and,
(iii) That Section 13A.(1)(xi) of Zoning By-law No. 6593 be deleted and replaced with the following:

(xi) A third party/billboard sign in accordance with Section 18.(15).

- (iv) That Section 14.(1)(xvi) of Zoning By-law No. 6593 be deleted and replaced with the following:

(xvi) A third party/billboard sign in accordance with the requirements of Section 18.(15), roof sign, overhanging sign or other sign or notice;

- (v) That Section 14A.(1)(c) of Zoning By-law No. 6593 be modified to add the words "business identification sign that is" after the word "no" in the fourth line, so that the Clause reads in part as follows:

(c) As provided in clauses vii, viii, ix, x, xi, xiv, xvi and xvii of subsection 1 of Section 14.

Provided, however, that save as hereinafter in this Section provided, no business identification sign that is a wall sign, roof sign or ground sign shall have...

- (vi) That Section 15.(1)(ii) of Zoning By-law No. 6593 be modified by adding to the end "and a third party/billboard sign", so the entire clause reads as follows:

(ii) Any commercial use which is permitted in a residential district or other commercial district except a penny arcade and a third party/billboard sign";

- (vii) That Section 15A.(1)(xviii)(b) of Zoning By-law No. 6593 be modified by adding to the end "but not including a third party/billboard sign", so the entire clause reads as follows:

- (b) A window sign or an outdoor advertising sign or other sign of the kind known as a wall sign, not overhanging a highway, but not including a third party/billboard sign.
- (viii) That Section 16.(1) of Zoning By-law No. 6593 be modified by adding a new clause (ivb) as follows:
 - (ivb) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (ix) That Section 16A.(1)(f) of Zoning By-law No. 6593 be modified by:
 - (1) deleting the words "and in addition, ground signs, wall signs and roof signs, pertaining to any advertising matter whatsoever" in the third, fourth and fifth lines;
 - (2) deleting the words "for each of the two categories mentioned;" in the sixth line so the clause reads as follows:
 - (f) Ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:
 - (3) adding a new clause (fa) as follows:
 - (fa) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (x) That Section 17A.(1)(d) of Zoning By-law No. 6593 be modified by:
 - (1) deleting the words "and in addition to these, ground signs, wall signs and roof signs, pertaining to any advertising matter whatsoever," in the third, fourth and fifth lines;
 - (2) deleting the words "for each of the two categories mentioned," in the sixth line so the clause reads as follows:
 - (d) ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:
 - (3) adding a new clause (dd) as follows:

- (dd) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (xi) That Section 18 of Zoning By-law No. 6593 be amended by adding a new subsection as follows:

"Special Requirements for Third Party/Billboard Signs"

- (15) Notwithstanding any other provisions in this By-law, the following provisions shall apply to every third party/billboard sign:
 - (1) Third party/billboard signs shall be ground signs or wall signs only;
 - (2) Third party/billboard signs shall be permitted only in: "G-1", "G-2", "H", "HH", "J", "JJ", "K", and "KK" Districts, subject to the following requirements:
 - (a) a maximum of one third party/billboard sign with up to two faces shall be permitted per property;
 - (b) third party/billboard signs shall be prohibited on the lands located within Area "A" shown on Schedule "I" of Section 18A;
 - (c) a minimum separation distance of 100 metres between each third party/billboard sign shall be provided and maintained;
 - (d) a third party/billboard sign shall be a minimum of 36 metres from a residential district;
 - (e) a third party/billboard sign shall have a maximum height of 7.6 metres;
 - (f) a third party/billboard sign shall have a maximum sign area of 25 square metres per face; and,

- (g) no third party/billboard sign shall be illuminated unless the source of the light is steady and suitably shielded to contain the illumination.
- (xii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - (xiii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That staff be directed to monitor the by-law to regulate billboards and report back to the Planning and Development Committee in one year.
- 4. That the Building Commissioner be directed not to issue a demolition permit for 39 North Oval.
- 5. That the Building Department continue with the current policy of Council to enforce property standards only by complaint on the property at 28-44 James Street North/5-21 King William Street known as the Lister Building.
- 6.
 - (a) That the budget as outlined in APPENDIX "F" be approved for the purchase of decorative Christmas Wreaths for the Barton Street Improvement Area; and,
 - (b) That the City Treasurer be authorized and directed to forward \$ 8,469.06 to the Barton Street B.I.A..
- 7. That the Building Commissioner be authorized to issue a demolition permit for 697 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 8. That the Building Commissioner be authorized to issue a demolition permit for 1275 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 9. That the Building Commissioner be authorized to issue a demolition permit for 917 West 5th Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 10. That the City of Hamilton accept the sum of \$15,700.00 as a cash payment in lieu of the 5% land dedication in connection with Kemp Estates located in the Redhill Neighbourhood south of Congress Crescent and west of Mount Albion Road, and the sum of \$65,000.00 as the cash in lieu of the 5% land dedication in connection with Kentley Lane, Hamilton, located in the Kentley Neighbourhood, being the cash payment required under Section 51 of the Planning Act.

1996 May 14

11. That a Heritage Permit be approved for the demolition of the twin gazebos (c. 1965) on the north lawn of Dundurn Castle.
12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-21 A By-law To Amend Zoning By-law No. 6593 Respecting Lands Located South of Rymal Road East and West of the Proposed Extension of Upper Sherman Avenue.
 - (b) C-22 A By-law To Amend Zoning By-law No. 6593 Respecting Third Party/Billboard Signs.
 - (c) C-23 A By-law To Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 244 Lake Avenue North.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 May 8**

1996 May 14

Appendix "A" referred to in
Section 1. (a) of the EIGHTH Re
of the Planning and Developm
Committee for 1996.

APPENDIX "A"

List of Units by Address and the Applicable Rent

Unit #1	11 Courtland Avenue Unit 11A Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #9	11 Courtland Avenue Unit 11I Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #2	11 Courtland Avenue Unit 11B Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #10	11 Courtland Avenue Unit 11J Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #3	11 Courtland Avenue Unit 11C Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #11	15 Courtland Avenue Unit 15 Hamilton, Ontario L9C 6M4 Monthly Rent: \$667.60
Unit #4	11 Courtland Avenue Unit 11D Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #12	17 Courtland Avenue Unit 17 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #5	11 Courtland Avenue Unit 11E Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #13	19 Courtland Avenue Unit 19 Hamilton, Ontario L9C 6M4 Monthly Rent: \$667.60
Unit #6	11 Courtland Avenue Unit 11F Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #14	21 Courtland Avenue Unit 21 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #7	11 Courtland Avenue Unit 11G Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #15	23 Courtland Avenue Unit 23 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #8	11 Courtland Avenue Unit 11H Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28		

The names of the tenants are not included as part of this APPENDIX for reasons of confidentiality.

1996 May 14

Appendix "B" referred to in
Section 1. (a) of the **EIGHTH** Report
of the Planning and Development
Committee for 1996.

APPENDIX "B"

The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,
 - i) \$4,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

1996 May 14

Appendix "C" referred to in
Section 1. (a) (v) of the **EIGHTH**
Report of the Planning and Development
Committee for 1996.

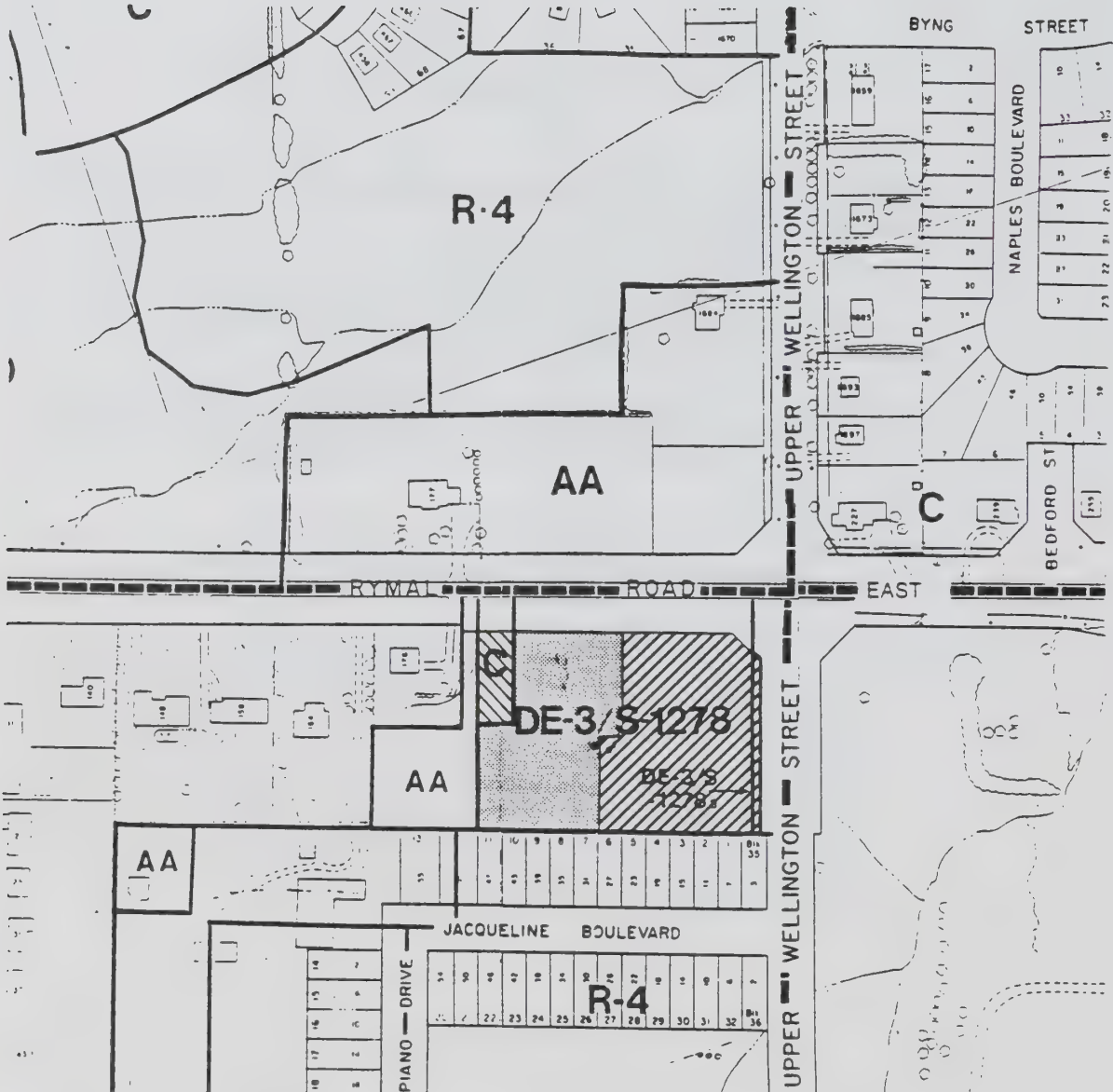
APPENDIX "C"

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.


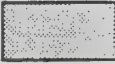

1996 May 14

Appendix "D" referred to in
Section 2. of the **EIGHTH** Report of
the Planning and Development
Committee for 1996.



Legend

Proposed change in zoning from:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "DE-3" (Multiple Dwellings) District, Modified, to "R-4" (Small Lot Single - Family Dwellings) District, Modified. |
| BLOCK 2 |  | "DE-3" (Multiple Dwellings) District, Modified, to "R-4" (Small Lot Single - Family Dwellings) District. |
| BLOCK 3 |  | "C" (Urban Protected Residential, etc.) District, to "R-4" (Small Lot Single - Family Dwellings) District. |


ZAC-96-01

Appendix "E" referred to in Section 2. A. (a) (i) of the **EIGHTH** Report of the Planning and Development Committee for 1996.



1996 May 14

Appendix "F" referred to in
Section 6. (a) of the EIGHTH Report
of the Planning and Development
Committee for 1996.

XMAS DECORATION QUOTATIONS

ENLIGHTENING DESIGN & DISPLAY

SINGLE RING POLE MOUNT WREATH	30 UNITS @ \$250 EA	\$7,500.00	
DOUBLE RING POLE MOUNT WREATH	30 UNITS @ \$350 EA		\$10,500
TAXES:	PST	\$600.00	\$846
	GST	\$525.00	\$735
	TOTAL	\$8,625.00	\$12,075

CROZIER AGENCIES

54" WREATH (P331)	30 UNITS @ \$340 EA	\$10,200.00	
EARLY BUY DISCOUNT 20%		\$2,040.00	
VOLUME DISCOUNT 5%		\$408.00	
SUBTOTAL		\$7,752.00	
TAXES:	PST	\$620.16	
	GST	\$542.64	
TOTAL		\$8,914.80	
FULL PAYMENT DISCOUNT 5%		\$445.74	
		\$8,469.06	← ACCEPTAL

CLASSIC DISPLAYS

4' DELUXE SIDE MOUNT WREATH	30 UNITS @ \$330 EA.	\$9,900.00
10% DISCOUNT BEFORE MAY 31		\$8,910.00 \$10,246.50 W/TAXES
7% DISCOUNT BEFORE JUNE 30		\$9,207.00 \$10,588.05 W/TAXES
5% DISCOUNT BEFORE JULY 31		\$9,405.00 \$10,815.75 W/TAXES

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1996 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action # 8951/95 by the payment to the Plaintiffs, John F. and Jane Naylor of the sum of \$7,500 inclusive of all claims for damages, interest and costs; and,

 (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

 (c) That Ontario Court (General Division) Action # 8951/95 be dismissed without costs.
2. That approval be given to the request of Folklore Ensemble Croatian Village of Holy Cross Church in Hamilton to fly the Croatian flag at City Hall from 1996 May 17 to 20 during the Canadian-Croatian Festival.
3. That approval be given to the request of the Ontario Mundialization Association and the United Nations Association (Hamilton Branch) to use the Council Chambers and Committee Rooms 219, 233 and 264 on Saturday, 1996 October 26 from 8:00 a.m. to 6:00 p.m. for an Ontario Mundialization Conference.
4. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for The Undermount Tavern at 135 James Street South from Friday, 1996 June 14th to Sunday, 1996 June 23rd in conjunction with a community festival called MusicFest Hamilton.
5. That the Council of the Corporation of the City of Hamilton deems the Annual Festivals of the St. Mary's Portuguese Parish to be held 1996 May 25 and 26th (Holy Spirit Fraternity) and 1996 August 9, 10 and 11 (Our Lady of the Angels - Patron Saint) to be community festivals of municipal significance, and as such have no objection to the issuance of Special Occasion Permits for these festivals.

6. That approval be given to the action taken by the Acting City Clerk in authorizing the Canadian Union of Public Employees to use the City Hall Forecourt and related equipment on Tuesday, 1996 May 7 from 6:00 p.m. to 8:00 p.m. for a Stop Workfare Rally.
7. That as referred to in Section 9 of the Sixth Report for 1996 of the Transport and Environment Committee approved by City Council at its meeting held Tuesday, 1996 April 30th, the City's share of service for Battleridge Subdivision - Phase 3 in the amount of \$32,625, Bow Valley Estates in the amount of \$3,972.33, and Kempt Estates in the amount of \$2,101.31 for a total estimated cost of \$38,698.64, be financed from the Account Centre No. CH 00107 - Reserve for Services Through Unsubdivided Lands.
8. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

1059 Cannon East	27 Stella
1521 Upper Ottawa #3	1521 Upper Ottawa #7
58 East South	157 Clifton Downs
295 Locke South	25 West South
61 East South	37 Kenilworth North
- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

9. (a) That maintenance for IBM computer equipment be authorized for payment to IBM Canada Ltd. (as the sole acceptable supplier) based on the following monthly rates (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CH 57101 26020	Equipment Repair (Central Processing)	\$1,860/month
CH 57101 26014	Equipment Repair (Disk & Tape)	\$5,215/month
CH 57101 26016	Equipment Repair (Host Printing)	\$ 575/month
CH 57101 26025	Equipment Repair (Data Entry)	\$ 176/month

- (b) That the maintenance schedule be in effect for a 36 month period, starting 1996 July 1, with options for termination or upon 30 days notice, subject to any discount penalties that may apply; and,
- (c) That annual increases in maintenance costs in 1997 and 1998 be permitted provided that they do not exceed the increase in the Consumer Price Index or inflation.

10. (a) That the monthly operating licence fees for IBM operating system and related software be authorized for payment to IBM Canada Ltd. for the term of Council based on the current monthly rates as follows (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Monthly Amount</u>
CH 56005-26020	CPU Software	\$ 27,400/month
CH 56005-26022	Software (Communications)	\$ 8,120/month
CH 56099-26021	Software (Business Systems)	\$ 2,335/month

- (b) That the software schedule in the licence agreement include a provision that any software may be cancelled, at any time, with 30 days notice; and,
- (c) That annual increases in software maintenance costs in 1997 be permitted provided that they do not exceed the increase in the Consumer Price Index or inflation.

11. That a purchase order be issued to Neovac Ltd., Markham, in the amount of \$269,775.18, including trade-in and all applicable taxes, for the replacement of two (2) Street Sweepers units #9568 and 9569 for Fleet Services, being the lowest total acquisition cost of six proposals received in accordance with specifications issued by Purchasing and Vendor's proposal, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

12. That a purchase order be issued to Battlefield Equipment Rentals in the amount of \$63,675.50, including all applicable taxes, for the replacement of two (2) Double Drum Rollers units 9724 and 9726 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
13. That a purchase order be issued to Nethercott Chevrolet Oldsmobile Ltd. in the amount of \$102,460.40, all applicable taxes included, for the purchase of Seven (7) Compact Cars for City Garage, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
14. That a purchase order be issued to Nethercott Chevrolet Oldsmobile Ltd. in the amount of \$65,881.20, all applicable taxes included, for the purchase of Three (3) Mid-Size Cars for City Garage, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
15. That a purchase order be issued to Champion Road Machinery Sales Ltd., Brampton in the amount of \$226,320, including trade-in and all applicable taxes, for the replacement of one (1) Asphalt Spreader unit 9696 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
16. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 April 26, attached herewith and marked Appendix "A", be approved.

17. That the City Treasurer be directed to close the following Capital Projects Accounts of The Parking Authority of the City of Hamilton with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
909145002	Demolition & Site Preparation	275,000	274,971.14	28.86
909145004	Study & Design - Existing/Future Parking	50,000	49,616.07	383.93
909245004	Demolition & Site Preparation	100,000	99,286.72	713.28
909345007	Upgrading of Existing Facilities	300,000	300,000	0
909345009	Study & Design - Existing/Future Projects	50,000	49,466.70	533.30
909445011	Upgrading Existing Facilities	100,000	99,846.35	153.65

18. That a letter be forwarded by Mayor Morrow to the Minister of Municipal Affairs and Housing with copies to the Federal Minister responsible for Infrastructure along with the local Members of Parliament and Members of Ontario Legislature, The Association of Municipalities of Ontario and the Federation of Canadian Municipalities, requesting that the Province review and expedite the approval of the City's applications to the Canada/Ontario Infrastructure Works Program to ensure that these projects can commence as soon as possible and generate the additional employment which is the objective of the Infrastructure Program.
19. (a) That Harry Kitchen, Consultant, report on the process followed, assumptions used and conclusions of the Constituent Assembly Report on Local Government Restructuring, at a cost not to exceed the remaining balance of \$1,600 of current allocated funds of \$10,000; and,
- (b) That this one hour presentation be given at the beginning of a one-day session of members of Hamilton City Council to be held to review the Final Report from the Constituent Assembly; and,
- (c) That a City of Hamilton response to the Final Report from the Constituent Assembly be forwarded to the Regional Clerk prior to the 1996 June 3rd request date.

20.
 - (a) That Section 16 of the Eighteenth Report of the Finance and Administration Committee as adopted by City Council on 1993 September 28, and subsequently amended on 1993 November 30, Section 10 of the Twenty-Second Report of the Finance and Administration Committee be further amended by increasing the area leased from 1,508 square feet to 2,258 square feet; and,
 - (b) That the rental rates be adjusted accordingly based on a rate of \$5 per square foot (gross) (from \$7,540 per annum/\$628.33 per month to \$11,290 per annum/\$940.83 per month); and,
 - (c) That the City Solicitor be authorized to amend the Lease Agreement.
21.
 - (a) That approval be given to issue a purchase order in the amount of \$105,699.95 inclusive of G.S.T. (\$6,914.95) to commission Douglas Construction Limited of Caledonia, Ontario for the construction of an underground room along the east limit of City Hall and the installation of an emergency generator (already purchased by the City), this being the lowest of four quotations received in accordance with the specifications (Ref: C14-22-95) issued by the Purchasing Division; and,
 - (b) That this amount, being within the approved budget, be charged to accounts CF 319541006 - Split/Balance Power Supply and CF 319541007 - Uninterruptable Power Supply - Computer Systems.
22.
 - (a) That the City of Hamilton enter into a Lease Agreement with Lorne Richter to lease an irregular shaped parcel of City land approximately 287.4 square metres (3,094 square feet) more or less abutting the south-east corner of the Richter property at 244 Lake Avenue North; and,
 - (b) That the Lease Agreement contain the following terms and conditions:
 - (i) Term - Commences 1996 May 1 and terminates 1997 April 30; and,
 - (ii) Rent - \$1,000 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (miscellaneous rentals); and,
 - (iii) That the lease agreement shall be solely for customer and employee parking purposes; and,
 - (iv) (1) The Lease agreement be subject to the Lessee at their sole expense, applying for and obtaining a temporary rezoning of the subject lands to accommodate the proposed use; and,

- (2) The Lessee acknowledges that approval of this Lease by the City, does not fetter the discretion of the City Council to decide whether to pass a by-law rezoning the subject lands pursuant to the application set out in (a) above. City Council is under a statutory duty under the Planning Act, 1983 to consider all the factors set out in the Act, in deciding whether to pass a by-law to rezone the subject lands; and,
 - (c) That the Lease Agreement be in a form satisfactory to the City Solicitor; and,
 - (d) That the Corporation of the City of Hamilton enter into an Authority to Enter agreement, to be executed by Lorne Richter, to enter upon the approximately 12 metres (40 feet) of City Lands to the east of 244 Lake Avenue North from the period of 1996 May 1 to 1996 October 31 for purposes of assisting Richter in the construction of a building addition on his own lands; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
23. (a) That the existing fuel oil tank buried at the south east corner of the City owned property at 940 Queensdale Avenue East be removed and an Environmental Assessment be conducted at a cost not to exceed \$6,000.
- (b) That the cost for this removal and assessment be charged to Account CH4X501 00102 (Reserve for Property Purchases).
24. (a) That the agreement between the City and Mr. Jamshid Hidary for the operation of the Street Vending location on the north side of King Street East just east of James be terminated immediately, and that the total \$7,000 bid fee be refunded to Mr. Hidary; and,
- (b) That this King and James location be deleted from the list of approved Street Vendor sites; and,
- (c) That the Commissioner of Public Works and Traffic be authorized to negotiate with Mr. Hidary the relocation of his vending cart. The location is to be selected from the list of approved vacant street vendor sites, and a fee for that site will have to be determined.
25. That the Mayor, Chairman of the Finance and Administration Committee and five Aldermen be authorized to attend the 1996 Annual Conference of the Association of Municipalities of Ontario being held 1996 August 18th to 21st in Toronto.

26. (a) That the City of Hamilton host a reception for the Hamilton International Air Show on Saturday, 1996 June 15th, at a cost of \$5,000; and,
- (b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.
27. (a) That with regard to the New Board structure being proposed for the merged Civic Hospital and Chedoke McMaster Hospital, that the City continue to make the appointments to the Board and representation from Council would continue on the new Board; and,
- (b) That the Chair of the Merger Transition Committee, Rabbi Baskin, be requested to consult with City Council by way of the Finance and Administration Committee regarding models, composition and appointments to the Board.
28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-38 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-39 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 May 7**

1996 May 14

Appendix "A" referred
to in Section 16 of the
TENTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Timothy Boychuk	I	Lieutenant (C7)	Fire	Replacing Mr. J. Doyle – promoted February 11/96	\$57,934.32	March 24/96
Mr. Robert Kimball	I	Lieutenant (C7)	Fire	Replacing Mr. P. Galinis – promoted February 11/96	\$57,934.32	March 24/96
Mr. John Kossup	I	Lieutenant (C7)	Fire	Replacing Mr. P. Gallacher – promoted February 11/96	\$57,934.32	March 24/96
Mr. F. Krestynski	I	Lieutenant (C7)	Fire	Replacing Mr. K. Knoflook – promoted February 11/96	\$57,934.32	March 24/96
Mr. John Lawson	I	Lieutenant (C7)	Fire	Replacing Mr. W. Melnyk – promoted February 11/96	\$57,934.32	March 24/96

Prepared April 26, 1996

Status –

Internal – I
External – E

1996 May 14

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Russell Lloyd	I	Lieutenant (C7)	Fire	Replacing Mr. F. Reading - promoted February 11/96	\$57,934.32	March 24/96
Mr. David Louth	I	Lieutenant (C7)	Fire	Replacing Mr. B. Schweitzer - promoted February 11/96	\$57,934.32	March 24/96
Mr. Randall Moss	I	Lieutenant (C7)	Fire	Replacing Mr. B. Stark - promoted February 11/96	\$57,934.32	March 24/96
Mr. Terrence O'Brien	I	Lieutenant (C7)	Fire	Replacing Mr. S. Sunesen - promoted February 11/96	\$57,934.32	March 24/96

Prepared April 26, 1996

Status -
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. George Dans	Parking Control Officer	Public Works & Traffic	Retired	11 years 8 months	March 29/96

Prepared April 26, 1996

Glossary of Terms

Terminated – long term disability
 – discharge
 – downsizing
 – redundant

Resigned – personal betterment
 – personal reasons

**NOTICE OF MOTION
FROM PREVIOUS MEETING**

MOVED BY:

SECONDED BY:

RESOLVED:

WHEREAS the revitalization of Hamilton's Downtown Core is critical to the well being and prosperity of the entire region of Hamilton Wentworth; and,

WHEREAS "residential development" in the Downtown Core is fundamental to any improvement and revitalization of the Downtown; and,

WHEREAS, virtually every study and every opinion expressed on revitalizing the Downtown have clearly pointed to the lack of residential development in the Downtown as being at the very root of it's problems,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton waive all residential development charges in the area bounded by Queen, Cannon, Victoria and Hunter Streets for a 3 year period.
- (b) That the Region of Hamilton-Wentworth be requested to review it's development charges respecting the application of residential charges in the Downtown Core, that area outlined in section (a) with the intent of imposing no development charges in this area.

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 MAY 14
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 96-

TO AUTHORIZE THE SALE OF THE CLOSED PORTION OF
KENORA AVENUE, DESIGNATED AS PARTS 2 & 3, PLAN 62R-3773

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 14 of the 4th Report of the Finance and Administration Committee on 1996 February 27, authorized the City to sell the property known as 771 Queenston Road being more particularly described as Part 1, on Plan 62R-4156 and closed portion of Kenora Avenue being more particularly described as Parts 2 and 3, on Plan 62R-3773;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the closed portion of Kenora Avenue, described as;

Part of Lots 27 and 28, Concession 2, in the geographic township of Saltfleet, being the portion of Kenora Avenue closed by By-Law 77-293, designated as Parts 2 and 3, on Plan 62R-3773.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby authorized.

2. That an offer to purchase the westerly half of the closed portion of Kenora Avenue, being Part 3, on Plan 62R-3773, be extended to the owners of 735 Queenston Road, for the sum of \$64,000.00, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

(cont'd pg 2)

Page 2

To authorize the sale the closed portion of Kenora Avenue, designated as Parts 2 & 3, Plan 62R-3773

By-Law 96-

3. That in the event that the owner of 735 Queenston Road does not accept the offer within thirty (30) days of the passing of this By-Law, that the soil and freehold of the said land described in Item 1 of this by-law, along with other City land, being Part 1, on Plan 62R-4156 and known as 771 Queenston Road, be sold to Mr. Peter Zourtos or his successors in title for the sum of \$240,000.00, in accordance with the provisions of the agreement dated 1996 January 23; subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO AUTHORIZE THE SALE OF THE CLOSED ALLEY BETWEEN
BAY STREET AND STRACHAN STREET AS CLOSED BY JUDGE'S ORDER 142966
DESIGNATED AS PART 4, PLAN 62R-7821**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 13 of the 15th Report of the Finance and Administration Committee on 1982 August 31, authorized the City to sell the alley between Bay Street and Strachan Street, being more particularly described as Part 4, on Plan 62R-7821;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That sale of the closed alley between Bay Street and Strachan Street, described as;

All of the alley on Registered Plan 264, designated as Part 4, on Plan 62R-7821, as closed by Judge's Order 142966.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby authorized.

2. That the soil and freehold of the land along with the other City land be sold to the Regional Municipality of Hamilton-Wentworth for the sum of \$301,752.00

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 12 AND 15, ON PLAN 62R-6257
INTO QUEEN VICTORIA DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to establish the land described below as a highway to be known as Queen Victoria Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, which highway shall be known as Queen Victoria Drive.

Part of Lot 6, Concession 7, in the geographic township of Barton, designated as Parts 12 and 15, on Plan 62R-6257.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of concrete sidewalks:

on the south side of Solidarnosc Place from St. Olga Street to Barnesdale Avenue North, as describe in Schedule "A";

2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 38 of the 13th Report of the Transport and Environment Committee on November 14, 1995);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed \$18,200.
2. The portion of the estimated cost of the works in the amount of \$1,396.83 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.
3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,
 - (a) to the extent sufficient to provide an amount not exceeding \$1,396.83;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to,
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

SCHEDULE "A"

Construction of a concrete sidewalk

on the south side of Solidarnosc Place from St. Olga Street to Barnesdale Avenue
North

at the estimated cost not exceeding the following:

City's Share	\$ 16,803.17
Abutting Owners' Share	<u>1,396.83</u>
TOTAL ESTIMATED COST	\$ 18,200.00
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$101.00

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Catharine	Both	Cannon to Robert	3hr	8 am - 6 pm	Mon - Fri
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Lansdowne	South	Sherman to a point 578 feet easterly therefrom	1hr	8 am - 6 pm	Mon - Sat."
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and by deleting therefrom the following item, namely:-

"Lansdowne	South	Sherman to Lottridge	1 hr	8 am - 6 pm	Mon - Sat."
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2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Glassco	East	Melvin to 116 feet southerly therefrom	Anytime
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Chedmac	North	Rice to northerly end & East	Anytime
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Elmwood	North	West 32nd to a point 60 feet westerly therefrom	Anytime
---------	-------	---	---------

West 32nd	West	Elmwood to a point 116 feet northerly therefrom	8 am - 5 pm	Mon - Fri
-----------	------	---	-------------	-----------

Hunter	South	commencing 140 feet west of John and extending 118 feet westerly therefrom	Anytime
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Hunter	South	commencing 132 feet east of James and extending 144 feet easterly therefrom	Anytime."
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and by deleting therefrom the following item, namely:-

"Hunter	South	commencing at a point 65 feet west of John and extending to a point 196 feet westerly therefrom	Anytime."
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3. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Graystone Drive			
Glenvale Drive to Greyfriar Drive (west leg)	West	East."	

4. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"William	West	commencing 28 feet south of Birge and extending 18 feet southerly therefrom	Anytime
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Park	East	commencing 50 feet north of Vine and extending 158 feet northerly therefrom	Anytime."
------	------	--	-----------

and by deleting therefrom the following items, namely:-

"Park	East	Vine to 170 ft. south of Cannon	Anytime
-------	------	---------------------------------	---------

Jackson	North	from a point 201 feet east of Ferguson to a point 20 feet easterly therefrom	Anytime
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Hillcrest	South	commencing at a point 165 feet west of the extended west curb line of Beulah to a point 20 feet westerly therefrom	Anytime."
-----------	-------	--	-----------

PASSED this

day of

A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"San Marco	Northbound	San Fernando
San Marco	Southbound	San Pedro
Crockett	Eastbound and Westbound	East 27th."

2. **Schedule 23 (Hamilton Street Railway Bus Stops)** of said By-law is hereby amended by adding to the **Inbound** column, the following item, namely:-

"Whitney, 548 feet east of the east curb line of Rifle Range (M/B)."

3. **Schedule 28 (Taxi Stands)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Hunter	South	81 feet 59 feet west of John	Anytime."
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and by deleting therefrom the following item, namely:-

"Hunter	South	75 ft	132 feet east of James	Anytime."
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4. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Landsdowne	South	commencing at a point 578 feet east of Sherman and extending to a point 107 feet easterly therefrom	Anytime
-------------	-------	---	---------

Landsdowne	South	commencing at a point 232 feet west of Lottridge and extending to a point 99 feet westerly therefrom	Anytime
------------	-------	--	---------

Landsdowne	South	Lottridge to a point 58 feet westerly therefrom	Anytime
------------	-------	---	---------

Glenvale	South	Garth to a point 46 feet westerly therefrom	Anytime
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Park	East	Vine to a point 50 feet northerly therefrom	Anytime."
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The Corporation of the City of Hamilton

BY-LAW NO. 96 -

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF RYMAL ROAD EAST AND WEST OF THE
PROPOSED EXTENSION OF UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the lands comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Blocks 2 and 3;
- (c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block 4;

the extent and boundaries of each of which Blocks 1, 2, 3, and 4 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

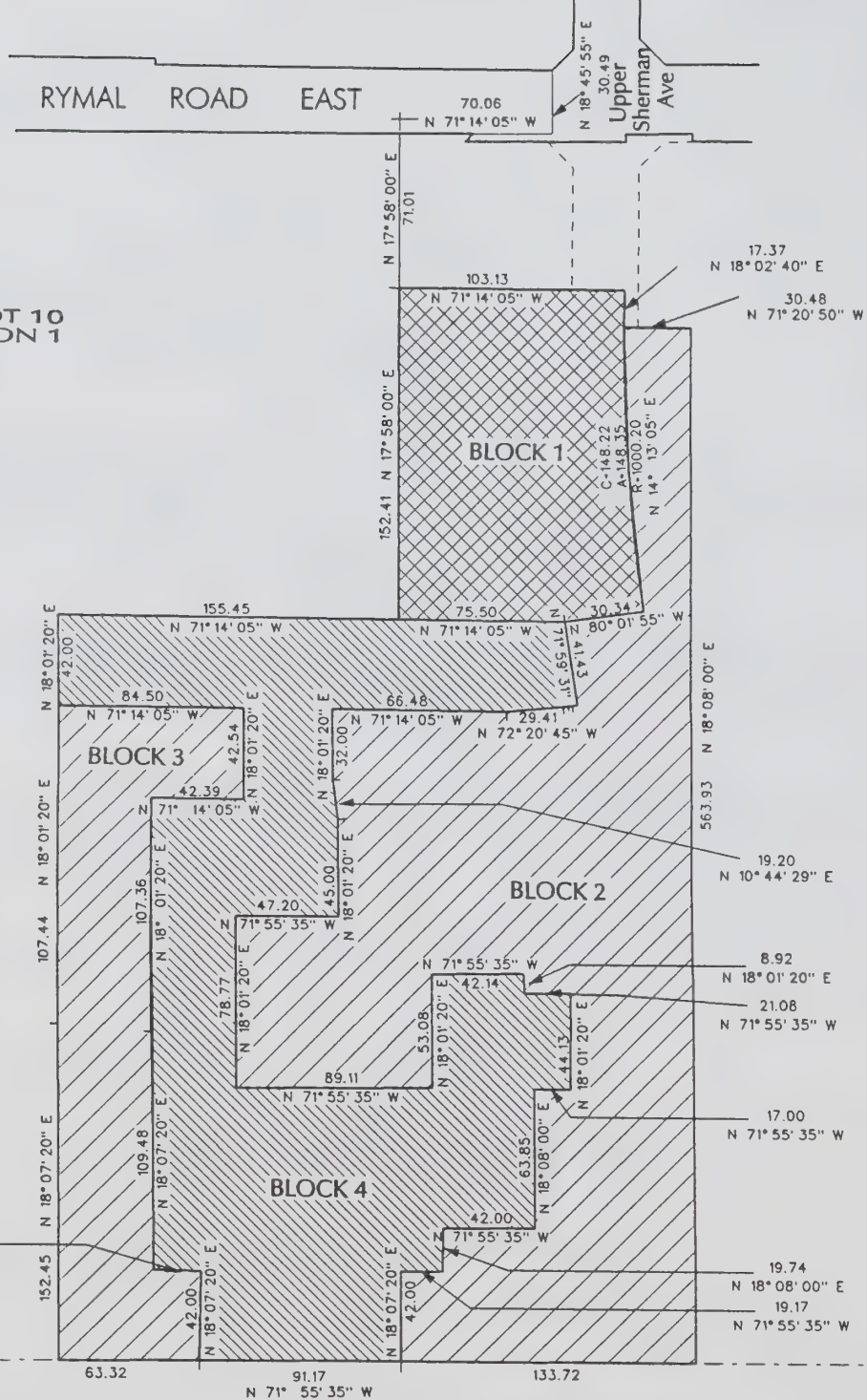
day of

A.D. 1996

CITY CLERK

MAYOR

LOT 10
CON 1



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from "AA" (Agricultural)
District to:



"RT-20" (Townhouse-Maisonette) District.



"C" (Urban Protected Residential,
etc.) District.



"R-4" (Small Lot Single-Family
Dwellings) District.

North



16

Scale
Not to Scale

Date
March 1996

Reference File No.
ZAC-94-22

Drawn By

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

THIRD PARTY/BILLBOARD SIGNS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 8th Report of the Planning and Development Committee at its meeting held on the 14th day of May 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to special requirements for third party/billboard signs, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)H(vig) of Zoning By-law No. 6593 is amended by adding "/Billboard" after the words "Sign, Third Party" in the title, so it reads as follows:

"Sign, Third Party/Billboard"

2. Section 13.(1)(xva) of Zoning By-law No. 6593 is hereby deleted.
3. Section 13A.(1)(xi) of Zoning By-law No. 6593 is deleted and replaced with the following:

"(xi) A third party/billboard sign in accordance with Section 18.(15)."

4. Section 14.(1)(xvi) of Zoning By-law No. 6593 is deleted and replaced with the following:

"(xvi) A third party/billboard sign in accordance with the requirements of Section 18.(15), a roof sign, an overhanging sign or other sign or notice;"

5. Section 14A.(1)(c) of Zoning By-law No. 6593 is amended by adding the words "business identification sign that is" after the word "no" in the fourth line, so that the clause reads in part as follows:

"(c) As provided in clauses vii, viii, ix, x, xi, xiv, xvi and xvii of subsection 1 of Section 14.

Provided, however, that save as hereinafter in this Section provided, no business identification sign that is a wall sign, roof sign or ground sign shall have..."

6. Section 15.(1)(ii) of Zoning By-law No. 6593 is amended by adding "and a third party/billboard sign" at the end of the clause, so that the entire clause reads as follows:

"(ii) Any commercial use which is permitted in a residential district or other commercial district except a penny arcade and a third party/billboard sign."

7. Section 15A.(1)(xviii)(b) of Zoning By-law No. 6593 is amended by adding "but not including a third party/billboard sign" at the end of the clause, so that the entire clause reads as follows:

"(b) A window sign or an outdoor advertising sign or other sign of the kind known as a wall sign, not overhanging a highway, but not including a third party/billboard sign."

8. Section 16.(1) of Zoning By-law No. 6593 is amended by adding a new clause (ivb) as follows:

"(ivb) A third party/billboard sign in accordance with the provisions of Section 18.(15)."

9. Section 16A.(1)(f) of Zoning By-law No. 6593 is amended by:

(a) deleting the first six lines of clause (f) and replacing them with the following:

"(f) Ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:"; and

(b) adding a new clause (fa) as follows:

"(fa) A third party/billboard sign in accordance with the provisions of Section 18.(15)."

10. Section 17A.(1)(d) of Zoning By-law No. 6593 is amended by:

(a) deleting the first six lines of clause (d) and replacing them with the following:

"(d) ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:"; and

(b) adding a new clause (dd) as follows:

"(dd) A third party/billboard sign in accordance with the provisions of Section 18.(15)."

11. Section 18 of Zoning By-law No. 6593 is amended by adding a new subsection (15) as follows:

"Special Requirements for Third Party/Billboard Signs"

"(15) Notwithstanding any other provisions in this By-law, the following provisions shall apply to every third party/billboard sign:

- (1) Third party/billboard signs shall be ground signs or wall signs only;
- (2) Third party/billboard signs shall be permitted only in: "G-1", "G-2", "H", "HH", "J", "JJ", "K", and "KK" Districts, subject to the following requirements:
 - (a) a maximum of one third party/billboard sign with up to two faces shall be permitted per property;
 - (b) third party/billboard signs shall be prohibited on the lands located within Area "A" shown on Schedule "I" to Zoning By-law No. 6593;
 - (c) a minimum separation distance of 100 metres between each third party/billboard sign shall be provided and maintained;
 - (d) a third party/billboard sign shall be a minimum of 36 metres from a residential district;
 - (e) a third party/billboard sign shall have a maximum height of 7.6 metres;
 - (f) a third party/billboard sign shall have a maximum sign area of 25 square metres per face; and,
 - (g) no third party/billboard sign shall be illuminated unless the source of the light is steady and suitably shielded to contain the illumination."

12. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

13. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1996

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 244 LAKE AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:

- (a) notwithstanding Section 16A(1) of Zoning By-law No. 6593, a central mail order business with showroom and office and a retail outlet for industrial and agricultural parts, equipment, accessories and related products, shall be permitted;
- (b) Section 16A(3)(c) of Zoning By-law No. 6593 shall not apply; and,
- (c) a minimum 1.5 m high chain link fence shall be provided and maintained along the northerly 38.5 m of the easterly rear lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1354.

4. Sheet No. E-113 of the District Maps, appended to and forming part of By-law No. 6593, is amended by marking the lands referred to in section 1. of this by-law, S-1354.

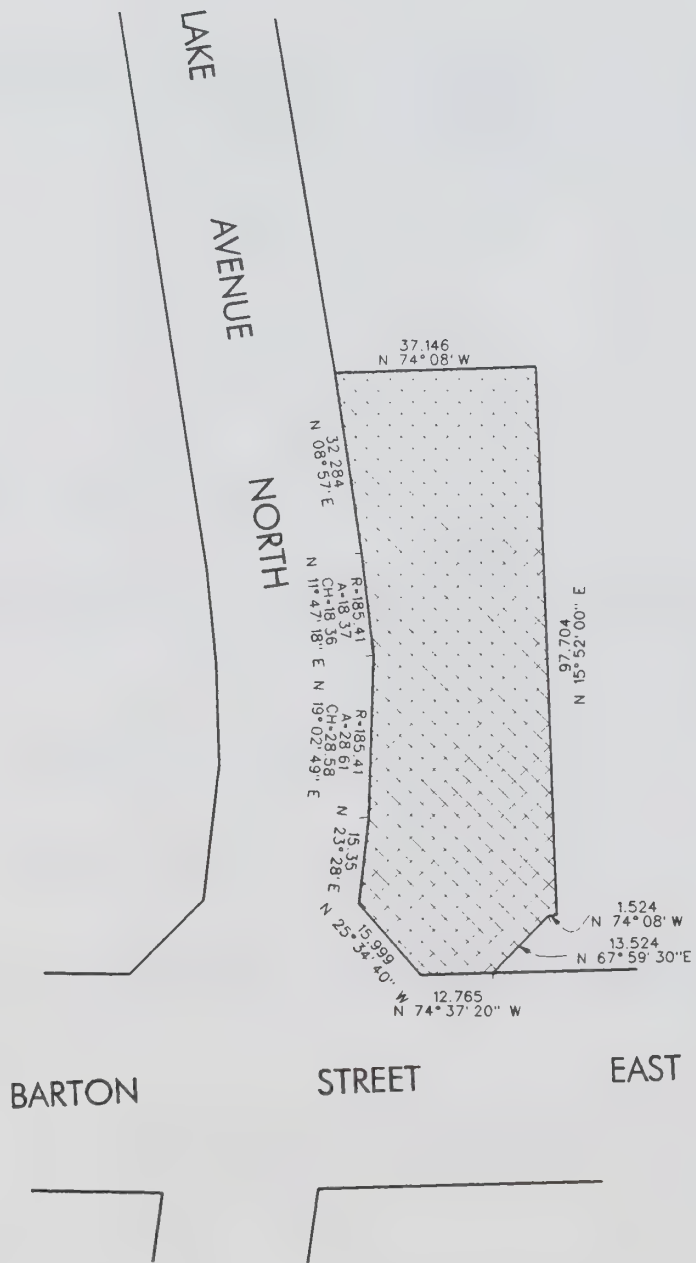
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

(1996) 5 R.P.D.C. 2a., March 26
Richter, E.L., owner
ZAR-96-02



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 96-

North



Scale
Not to Scale

Date
April 1996

Reference File No.
ZAR-96-02

Drawn By
R.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1996, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1059 CANNON STREET EAST 25 18 040 283 52580 PLAN 419 PT LOT 13 AUGUST 9TH 1995 VM215033 AUGUST 9TH 1996	\$7,806.76
B)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	27 STELLA COURT 25 18 081 073 06048 PLAN M223 LOT 31 AUGUST 22ND 1995 LT387406 AUGUST 22ND 1996	\$22,360.48
C)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1521 UPPER OTTAWA STREET 25 18 060 721 03936 WENT CONDO PLAN 146 LEV 1 UNIT 3 AUGUST 22ND 1995 LT387407 AUGUST 22ND 1996	\$15,194.98
D)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1521 UPPER OTTAWA STREET 25 18 060 721 03948 WENT CONDO PLAN 146 LEV 1 UNIT 7 AUGUST 22ND 1995 LT387408 AUGUST 22ND 1996	\$15,773.72
E)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	58 EAST AVENUE SOUTH 25 18 030 203 00070 PLAN 223 LOT 127 AUGUST 22ND 1995 VM215765 AUGUST 22ND 1996	\$27,807.94
F)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	157 CLIFTON DOWNS ROAD 25 18 081 021 03265 PLAN M29 LOT 94 AUGUST 22ND 1995 LT387410 AUGUST 22ND 1996	\$15,936.44
G)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	295 LOCKE STREET SOUTH 25 18 010 092 05520 PLAN 187 PT LOT 24 AUGUST 22ND 1995 VM215767 AUGUST 22ND 1996	\$15,091.80
H)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	25 WEST AVENUE SOUTH 25 18 030 202 01330 PLAN 223 LOT 59 AUGUST 22ND 1995 VM215766 AUGUST 22ND 1996	\$29,304.67
I)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	61 EAST AVENUE SOUTH 25 18 030 203 01690 PLAN 223 LOT 131 AUGUST 22ND 1995 VM215764 AUGUST 22ND 1996	\$30,129.19

SCHEDULE "A"
EXTENSION AGREEMENTS

J)	PROPERTY ADDRESS	37 KENILWORTH AVENUE NORTH	
	SERIAL NUMBER	25 18 040 313 08310	
	BRIEF LEGAL DESCRIPTION	PLAN 522 LOT 25	
	DATE OF REGISTRATION	AUGUST 29TH 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM216192	
	REDEMPTION DATE	AUGUST 29TH 1996	
	TOTAL ARREARS		\$30,826.71

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF MAY A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of May A.D. 1996

CITY CLERK

MAYOR



 **ACCO. USA**
WHEELING, ILLINOIS 60090

25971

MADE IN USA

50505 25971 7

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